



PLANNING COMMISSION STAFF REPORT

File No.	CP16-006
Applicant:	Jeffrey Eaton
Location	950 St. Elizabeth Drive
Existing Zoning	R-1-8 Single Family Residential
Council District	6
Historic Resource	No
Annexation Date:	April 17, 1981 Hamilton No. 49
CEQA:	Exempt pursuant to CEQA Guidelines Section 15301(a) Existing Facilities

APPLICATION SUMMARY:

Conditional Use Permit to allow a school for up to 116 clients within two existing buildings totaling approximately 22,215 square feet with a proposed exterior play area within 150 feet of a residentially zoned property; to allow the maximum allowable noise level of 55 decibels at the property lines to be exceeded; and to allow an alternate parking arrangement with an adjacent property on a 4.45 gross acre site.

RECOMMENDATION:

Staff recommends that the Planning Commission **approve** the Conditional Use Permit based on the facts and findings in this staff report and draft Resolution (attached), and subject to the conditions stated in said Resolution.

PROJECT DATA

GENERAL PLAN CONSISTENCY			
General Plan Designation		Public/ Quasi-Public <input checked="" type="checkbox"/> Consistent <input type="checkbox"/> Inconsistent	
Consistent Policies		Land Use Goal ES-1, and Policies ES-1.4, ES-1.14, LU-1.8	
Inconsistent Policies		None	
SURROUNDING USES			
	General Plan Land Use	Zoning	Existing Use
North	Open Space, Urban Residential	A(PD) Planned Development	Multi-Family Residential
South	Urban Residential	RM Residential Multi-Family	Vacant, former convent
East	Residential Neighborhood	R-1-8 Single Family Residential	Church
West	Open Space, Neighborhood Community Commercial	R-1-8 Single Family Residential, CO Commercial Office	Open Space (San Jose Water Company open area)

PROJECT DESCRIPTION

On February 17, 2016, the applicant, Jeffrey Eaton, filed a request to allow a school use for up to 116 children and adult clients at the site.

The proposed project would utilize an existing legal non-conforming day care (St. Elizabeth Day School). The day care has been in operation prior to the requirement of a Conditional Use Permit and has since reduced enrollment over time and will be closing in the coming months. The proposed occupant, the Morgan Autism Center (MAC), is a state-licensed school program which provides functional skills curriculum to children and adults with autism and developmental disabilities throughout the Bay Area. The MAC organization is a supportive function of the public school system in that children are typically referred from public school districts.

The school program runs from 9:00 a.m. to 2:30 p.m. Monday through Friday, and the majority of students are bussed to the site by the school. The MAC daily program does not follow a set schedule for students, and indoor and outdoor activity times are based on the needs of the individual students. Table 1 provides additional detail regarding the school program.

Outdoor areas would typically be used for physical education (which would take place in small groups throughout the day), gardening, and taking breaks from the classroom. The adult program would walk laps between 9:30 a.m. and 10:00 a.m. each day. Set recess times would be twice a day, from 10:00 a.m. to 11:00 a.m. and 12:00 p.m. to 1:00 p.m. By staggering recess and PE times, it is anticipated that a maximum of 20 students would be outside at any one time, cumulatively between all outdoor spaces. In addition to typical daily use, one to two field days would be scheduled each year, where all students and adults would be outside midday between 11:00 a.m. and 1:00 p.m. There are also two after-school programs which follow the school calendar and serve approximately 20 individuals per day.

Table 1: School Program

	School Program	Adult Program
Days and Hours of Operation	9:00 a.m. to 2:30 p.m. Monday through Friday	9:00 a.m. to 2:30 p.m. Monday through Friday
Number of Days Per Year	207 days	220 days
Number of Students	69 students, aged 5 to 22 years	47 adults, aged 22-58 years
Number of Faculty	69 faculty (1:1 ratio)	16 faculty (1:3 ratio)
Program	Function skills including life skills, health and safety, social skills, communication, prevocational and academic programming	Community based life skills, vocational, social, volunteer and work based instruction/experience
Typical Residence of Students	Throughout the Bay Area	Within Santa Clara County

The MAC also provides programs to educate the community about autism (such as to law enforcement professionals about working with people with autism), but these are primarily conducted off-site, or in small groups on-site. There would also be occasional on-site open houses which would take place in the early evening during the week or on the weekend.

The original proposal included a request for an alternative parking arrangement to allow off-site parking at the existing church across St. Elizabeth Drive to the west. The project description has since been amended to incorporate a parking lot at the southern end of the subject site; however, the applicant is requesting the ability to adjust the proposal in the future. In the event the adjacent property owner allows the use of the parking lot the applicant would seek to not build the parking lot. Staff is supportive of this request as it is a more efficient use of land area and provides additional play area space for the school. A condition has been included requiring a permit adjustment to memorialize the acceptance of the use of the parking lot by the adjacent property owner.

Excluding the parking lot at the southern property line, the applicant is only anticipating interior tenant improvements and modifications to the existing play area to improve safety and functionality. No additional structures are proposed at this time, nor are there any proposed exterior modifications or improvements to the existing buildings.

The project site is located within an existing neighborhood developed with low to moderate density townhomes, apartments, and condominiums. A church is located across St. Elizabeth Drive to the west, and the subject site is bounded to the west by a primarily vacant property utilized by the San Jose Water Company. The Los Gatos Creek and trail are located on this property.

ANALYSIS

The proposed Conditional Use Permit was analyzed with respect to conformance with: 1) the Envision San Jose 2040 General Plan, 2) the Zoning Ordinance, 3), and 4) the California Environmental Quality Act (CEQA).

Envision San José 2040 General Plan Conformance

The subject site is designated Public/Quasi-Public on the Envision San José 2040 General Plan Land Use/Transportation Diagram. The project as proposed conforms to the General Plan in that the designation envisions public land uses, specifically schools, as well as corporation yards, homeless shelters, libraries, and governmental offices. This category is also used to designate lands used by some private entities including private schools, daycare centers, and hospitals. As a non-profit school which serves adults with autism and public school children, this use is consistent with the uses allowed by this General Plan land use designation.

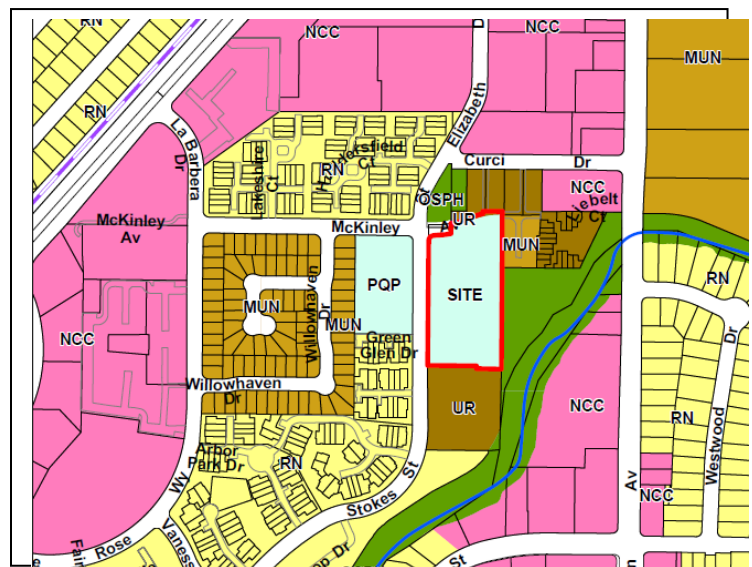


Figure 2: General Plan Map.

The project is also consistent with the following General Plan goals and policies:

1. Education Goal ES-1: Promote the operation of high-quality education facilities throughout San Jose as a vital element to advance the City's Vision and goals for community building, economic development, social equity, and environmental leadership.
2. Educational Policy ES-1.4: Encourage and enable new schools, public or private, to avoid locations that could pose health and safety risks to children (e.g. locations near industrial uses, hazardous material storage, and excessive noise).

3. Educational Policy ES-1.14: Collaborate with school districts, the community, post-secondary institutions, businesses, and industry to ensure availability of necessary resources to meet student needs.

The proposed use would provide a vital and specialized, high-quality educational facility that provides resources to an underserved minority of the population. By providing such services and resources to this population the proposed school program would advance the depth of community services available to the City's and region's population. The subject site is located adjacent to a mix of residential and open space uses. There are no industrial uses or hazardous materials sites located in the vicinity of the proposed project.

4. Land Use Policy LU-1.8: Preserve existing Public/Quasi-Public lands in order to maintain an inventory of sites suitable for Private Community Gathering Facilities, particularly within the Residential Neighborhood, Urban Villages, and commercial areas, and to reduce the potential conversion of employment lands to non-employment use.

The existing Public/Quasi-Public General Plan Designation directly speaks to providing land for educational facilities. By allowing the proposed use, the subject site would remain a Public/Quasi-Public use for the life of the school. Although there are a mix of General Plan designations within the vicinity of the subject site, the area is predominantly residential, with Residential Neighborhood and Mixed Use Neighborhood designations. Additionally, this land use policy refers to the preservation of Public/Quasi-Public land for employment use. Due to the high student/faculty ratio, this particular educational facility maintains a particularly high employment rate.

Zoning Ordinance Conformance

The project site is in the R-1-8 Single Family Residential Office Zoning District. The existing building and proposed outdoor play area conforms to the development standards set forth in the R-1-8 Single Family Residential Zoning District. The previous day care facility opened in 1964 at the current location, and at the time of closing, was licensed for 150 children. The previous day care was considered legal non-conforming as was in operation prior to the requirement of a Conditional Use Permit.

Parking Requirements.

The proposed school would operate most similarly to an elementary school as the clients do not drive themselves, and parking would be for staff only. Pursuant to Table 20-190 of the Zoning Ordinance, elementary school (K-8) uses are required to have 1 parking space per teacher, plus 1 parking space per employee, and 1 bicycle parking space per 10 full-time employees plus 6 per classroom.

Table 2: Parking Spaces

Number of Clients	Number of Staff	Parking Ratio	Number of Required Spaces	Parking Spaces			Total Number of Parking Spaces On-Site
				Existing Northern Parking Lot	Proposed Southern Parking Lot	Off-Site Parking Lot	
116 clients	100 staff	1 Space Staff	100 spaces	40 spaces	60 spaces	80 spaces	100 spaces

In addition to providing sufficient parking for private vehicles, the applicant is anticipating to offer commuter incentives (such as a subsidy to staff that utilizes public transit/alternative transportation for their commute) that are currently offered in their current operating location at Kenwood Avenue, as well as incorporating a new carpooling incentive. The site is also in close proximity to bus and light rail transportation, offering multi-modal opportunities: the project site is approximately 1,254 feet from the closest bus stop, and approximately 2,213 feet from the closest light rail station.

Height and Setback Requirements.

The existing buildings meet the height and setback requirements of the zoning district, and there are no exterior physical changes proposed to the buildings. Therefore, height and setback requirements are not applicable to this project.

Noise

Per Section 20.30.700 of the Zoning Ordinance, the decibel level of a commercial outdoor space within 150 feet of a property line for a residential property shall not exceed 55 dBA. A noise study was prepared analyzing the existing ambient noise levels of the site and the anticipated noise levels that would be generated by the proposed school operation. The noise study found that the daily maximum noise levels (measured Monday through Thursday) of the current conditions ranged from 70 to 75 dBA, with higher maximum levels occurring in the evening from other sources. It should also be noted that the existing conditions studied included noise from the existing playground activity at the site. Outdoor activity from the proposed project is anticipated to be a maximum of 75 dBA, and while this noise level exceeds the Zoning Code requirement, it is not an increase over the existing noise levels generated by ambient sources and noise associated with the existing program.

Alternative Parking Agreement

The Zoning Code requires that sites provide the requisite number of parking spaces per use on the same property as the use. Section 20.90.200 allows for the requisite parking spaces to be located on a separate property through an alternative parking arrangement. Such an arrangement is common in situations where a nearby property has an excess of parking spaces, or may only use their requisite parking spaces at a certain time of day or day of the week. Alternative parking arrangements may be approved if both property owners agree to the arrangement and if the number of spaces required is sufficiently provided. The applicant is currently working with an adjacent property owner, Foursquare Gospel Church across St. Elizabeth Drive from the project site, to determine if it would be mutually beneficial to provide school staff parking at the 80-space church parking lot during the week. City staff has determined that such an arrangement could be supported by staff. If the property owners decide not to pursue the arrangement, sufficient parking would be provided on-site through the construction of a new parking lot at the southern portion of the property. If they do decide to pursue the arrangement, the space could be utilized for additional play area and approval through this Conditional Use Permit process would eliminate a repetitive permitting process.

Per Section 20.30.100 of the Zoning Ordinance, a CUP is required for private schools within the R-1-8 Single Family Residential Zoning District. Per Section 20.30.700 of the Zoning Ordinance, the decibel level shall not exceed 55 dBA at any property line except upon issuance and in compliance with a CUP. Additionally, per Section 20.90.200, an alternative parking arrangement may be allowed with the issuance of a Special Use Permit (SUP). The proposed project also proposes a play area, or outdoor use, within 150 feet of a residentially zoned property. Per Section 20.40.520 of the Zoning Code, such a use requires the approval of a Special Use Permit. The required findings for approval of a Special Use Permit are the same as those required for a Conditional Use Permit, and both permits require a public hearing; therefore, special uses may be evaluated and permitted as conditional uses when combined with other uses that require a Conditional Use Permit.

Conditional and Special Use Permit Findings

To approve a Conditional Use Permit the Planning Commission must make findings that include the following:

1. The proposed use at the location requested will not:
 - a. Adversely affect the peace, health, safety, morals, or welfare of persons residing or working in the surrounding area; or
 - b. Impair the utility of value of the property of other persons located within the vicinity of the site; or
 - c. Be detrimental to public health, safety, or general welfare.

Analysis: The primary impacts to surrounding uses typically associated with schools are vehicle traffic and noise from outdoor play areas. In this case, traffic would be adequately managed by utilizing school-provided van transportation with limited client pick-up and drop-off. Traffic impacts would be primarily from staff arrival and departure, each of which would occur once daily, outside of peak traffic hours, and would be aided by utilizing programmatic incentives to reduce single-occupant private vehicle trips.

While noise from the outdoor play area would exceed Zoning Ordinance standards, the anticipated 75 dBA maximum noise level would not increase noise levels over the existing ambient and existing daycare noise levels.

The requested alternate parking arrangement would allow a more efficient use of an existing parking lot at the church as it is underutilized during the week when the school would be in session. The parking lot would be utilized on the weekend when the school would not be in operation; therefore, the substantial number of parking spaces would be available for the primary use.

For these reasons, the project is not anticipated to adversely affect the community, impair the value of adjoining property, or be detrimental to public health, safety, or welfare. Therefore, this finding can be made.

2. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in this title, or as is otherwise required in order to integrate said use with the uses in the surrounding areas; and

Analysis: The existing buildings and play area proposed for the school are adequate to accommodate the proposed enrollment of 116 clients. The Zoning Ordinance requires one parking space per staff member. The proposed school would have 100 staff members; thus, requiring 100 parking spaces. 100 parking spaces are provided as shown on the site plan with the proposed parking lot. While preferred as a more efficient use of land, the alternate parking arrangement is not necessary to provide the parking for the school as these parking spaces would be able to be accommodated on-site. The proposed site design includes adequate maneuvering areas for cars. The proposed site is of adequate size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features required for the project. Therefore, this finding can be made.

3. The proposed site is adequately served:
 - a. By highways or streets of sufficient width and improved as necessary to carry the kind and quality of traffic such use would generate; and
 - b. By other public or private service facilities as are required.

Analysis: The proposed site is served by St. Elizabeth Drive. The City's Department of Transportation has reviewed the project, and determined that the proposed school use would not generate additional trips over what is currently generated by the existing daycare use (which has had a fluctuating enrollment, with a maximum of 150 children). Furthermore, the current use generates pick-up/drop-off trips during the peak hours, whereas trips generated by the proposed school would primarily be of staff arriving and departing from the site, outside of peak hours (as the school begins after the peak morning hour has concluded and ends before the peak afternoon hour begins). Therefore no traffic impacts would result from the project. Further, the site is served by existing public utilities. This finding can therefore be made.

To approve a Special Use Permit for the Off-Site Alternative Parking Arrangement, the Planning Commission must make findings that include the following:

4. In addition to any other findings required for a Special Use Permit, the director, or Planning Commission on appeal, may approve such off-street parking facilities arrangements only upon making the following findings:
 - a. The number of off-street parking spaces provided in such parking facilities adequately meets the parking requirements of the individual buildings and uses as specified in this Chapter 20.90 of this title;
 - b. It is reasonably certain that the parking facility shall continue to be provided and maintained at the same location for the service of the building or use for which such facility is required, during the life of the building or use; and
 - c. The parking facility is reasonably convenient and accessible to the buildings or uses to be served.

The subject site has 40 existing parking spaces, and with the 80 spaces provided at the nearby church parking lot, the number of spaces provided would exceed the number of spaces required for the school use. The school would only utilize these spaces outside of assembly use times at the church. It is reasonably certain that the church parking lot would remain and continue to provide the subject parking spaces and in the event that they are not able to provide the subject spaces in the future, the school use would be able to provide the requisite parking spaces on-site with site modifications. The church parking lot is across the street from the school property and it is reasonably convenient and accessible to the school site.

Based on the above analysis, staff concludes that all of the above findings related to the Conditional and Special Use Permit can be made.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Under the provisions of Section 15301(a) Existing Facilities of the State Guidelines for Implementation of the California Environmental Quality Act, this project is found to be exempt from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act of 1970, as amended, in that the project involves the utilization of two existing buildings totaling approximately 22,215 square feet in an urbanized area. No significant amounts of hazardous substances are involved, and all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.

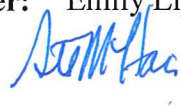
PUBLIC HEARING NOTIFICATION

Staff followed Council Policy 6-30: Public Outreach Policy. A notice of the public hearing was distributed to the owners and tenants of all properties located within 500 feet of the project site and posted on the City website. An on-site public notification sign has been posted on the subject site informing the neighbors. The staff report is also posted on the City's website. Staff has been available to respond to questions from the public.

A community meeting was held for the proposed project on March 28th at the subject site. There were approximately 54 people in attendance. Public comments received through the open forum period of the agenda were primarily in support of the project, although participants raised questions and concern regarding traffic impacts (particularly the amount of traffic and the existing safety concern with current speeds traveled in the neighborhood) and whether enough parking was provided. Public comments received in writing at the meeting expressed opposition to the project as a residential project was preferred. Staff has also received public comment by phone; such comments expressed support for the project.

Written public comments received to date have been attached to this report.

Project Manager: Emily Lipoma

Approved by:  , Planning Official for Harry Freitas, Planning Director

Date: 5/18/16

Attachments:

Draft Resolution
Reduced Plan Set
Public Comments

Owner:

Morgan Autism Center
2280 Kenwood Avenue
San Jose CA 95128

Applicant:

Jeffrey Eaton
1501 The Alameda, Suite 105
San Jose, CA 95126

RESOLUTION NO.

A Resolution of the Planning Commission of the City of San José granting, subject to conditions, a Conditional Use Permit to allow a school for up to 116 clients within an existing approximately 22,215 square foot building with a proposed exterior play area located within 150 feet of a residentially zoned property; to allow the maximum allowable noise level at the property lines to exceed 55 decibels; and to allow an alternate parking arrangement with an adjacent property on a 4.45 gross acre site, located at the southeast corner of St. Elizabeth Drive and McKinley Court (950 St. Elizabeth Drive).

FILE NO. CP16-006

WHEREAS, pursuant to the provisions of Chapter 20.100 of Title 20 of the San José Municipal Code, on February 17, 2016, an application from Jeffrey Eaton of the Morgan Autism Center (File No. **CP16-006**) was filed with the City of San José for a Conditional Use Permit to allow a school for up to 116 clients (children and adults) within an existing approximately 22,215 square foot building with a proposed exterior play area located within 150 feet of a residentially zoned property; to allow the maximum allowable noise level at the property lines to be exceeded; and to allow an alternate parking arrangement with an adjacent property on a 4.45 gross acre site, located at the southeast corner of St. Elizabeth Drive and McKinley Court (950 St. Elizabeth Drive, which real property is sometimes referred to as the “subject property”); and

WHEREAS, the subject property is all that real property more particularly described in Exhibit "A," entitled “Legal Description,” which is attached hereto and made a part hereof by this reference as if fully set forth herein; and

WHEREAS, pursuant to and in accordance with Chapter 20.100 of Title 20 of the San José Municipal Code, this Planning Commission conducted a hearing on said application, notice of which was duly given; and

WHEREAS, at said hearing, this Planning Commission gave all persons full opportunity to be heard and to present evidence and testimony respecting said matter; and

WHEREAS, at said hearing this Planning Commission received and considered the reports and recommendation of the Director of Planning, Building and Code Enforcement; and

WHEREAS, at said hearing, this Planning Commission received in evidence a site plan for the subject property entitled, “Morgan Autism Center,” dated received April 25, 2016, said plan is on file in the Department of Planning, Building and Code Enforcement and is available for inspection by anyone interested herein, and said development plan is incorporated herein by this reference, the same as if it were fully set forth herein; and

WHEREAS, said public hearing before the Planning Commission was conducted in all respects as required by the San José Municipal Code and the rules of this Planning Commission; and

WHEREAS, this Planning Commission has heard and considered the testimony presented to it at the public hearing, and has further considered written materials submitted on behalf of the project applicant, City staff, and other interested parties;

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN JOSE THAT:

After considering evidence presented at the Public Hearing, the Planning Commission finds that the following are the relevant facts and findings regarding this proposed project:

1. **Site Description and Surrounding Uses.** The project site is located within an existing neighborhood developed with low to moderate density townhomes, apartments, and condominiums. A church is located across St. Elizabeth Drive to the west, and vacant property utilized by the San Jose Water Company is located on the east side of the site. The vacant parcel separates the subject site from Los Gatos Creek and trail on the east side of the site. There are two existing single-story buildings on the site totaling approximately 22,215 square feet that were previously used as Montessori school. The site also includes existing playground areas with equipment and a parking lot with 40 spaces.
2. **Project Description.** The project is a Conditional Use Permit (CUP) to allow a school for up to 116 clients within two existing buildings totaling approximately 22,215 square feet with a proposed exterior play area within 150 feet of a residentially zoned property; to allow the maximum allowable noise level at the property lines to exceed 55 decibels; and to allow an alternate parking arrangement with an adjacent property.

The proposed project occupant would be the Morgan Autism Center (MAC), a school program that provides functional skills curriculum to children and adults with autism and developmental disabilities throughout the Bay Area. The MAC organization is a supportive function of the public school system in that children are typically referred from public school districts. The school program runs from 9:00 a.m. to 2:30 p.m. Monday through Friday, and the majority of students are bussed to the site by MAC. Outdoor areas would typically be used for physical education (which would take place in small groups throughout the day), gardening, and taking breaks from the classroom. The adult program would walk laps between 9:30 a.m. and 10:00 a.m. each day. Set recess times would be twice a day, from 10:00 a.m. to 11:00 a.m. and 12:00 p.m. to 1:00 p.m. By staggering recess and PE times, it is anticipated that a maximum of 20 students would be outside at any one time, cumulatively between all outdoor spaces. In addition to typical daily use, one to two field days would be scheduled each year, where all students and adults would be outside midday between 11:00 a.m. and 1:00 p.m. There are also two after-school programs which follow the school calendar and serve approximately 20 individuals daily. There would also be occasional on-site open houses which would take place in the early evening during the week or on weekends.

The project proposes to provide additional parking to accommodate up to 100 staff. The applicant has initially proposed an alternative parking arrangement that would provide 80 spaces of off-site parking at the existing church across St. Elizabeth Drive to the west. However, if the off-site parking spaces cannot be accommodated, the project proposes to construct an additional parking lot at the southern end of the property to provide an additional 60 parking spaces. If the offsite property owner allows the use of the parking lot the applicant would not build the parking lot.

To reduce the need for parking, the applicant may offer commuter incentives to staff (such as a subsidy that utilizes public transit/alternative transportation for their commute) that are currently offered in their current operating location, as well as incorporating a new carpooling incentive. The site is approximately 1,254 feet from the closest bus stop, and approximately 2,213 feet from the closest light rail station.

Per Section 20.30.700 of the Zoning Ordinance, the decibel level of a commercial outdoor space within 150 feet of a property line for a residential property shall not exceed 55 dBA. A noise study was prepared analyzing the existing ambient noise levels of the site and the anticipated noise levels that would be generated by the proposed school operation. The noise study found that the daily maximum noise levels (measured Monday through Thursday) of the current conditions ranged from 70 to 75 dBA, with higher maximum levels occurring in the evening from other sources. It should also be noted that the existing conditions studied included noise from the existing playground activity at the site. Outdoor activity from the proposed project is anticipated to be a maximum of 75 dBA, and while this noise level exceeds the Zoning Code requirement, it is not an increase over the existing noise levels generated by ambient sources and noise associated with the existing program.

There would be only interior tenant improvements and modifications to the existing play area to improve safety and functionality, and if the alternative parking arrangement cannot be made, a 60-space parking lot would be constructed in the southern part of the project site. No additional structures are proposed at this time, nor are there any proposed exterior modifications or improvements to the existing buildings.

The Zoning Code requires that sites provide the requisite number of parking spaces per use on the same property as the use. Section 20.90.200 allows for the requisite parking spaces to be located on a separate property through an alternative parking arrangement. The applicant is currently working with an adjacent property owner, Foursquare Gospel Church across St. Elizabeth Drive from the project site, to determine if it would be mutually beneficial to provide school staff parking at the 80-space church parking lot during the week. City staff has determined that such an arrangement could be supported by staff. If the property owners decide not to pursue the arrangement, sufficient parking would be provided on-site through the construction of a new parking lot at the southern portion of the property. If they do decide to pursue the arrangement, the space could be utilized for additional play area and approval through this Conditional Use Permit process would eliminate a repetitive permitting process.

The Zoning Ordinance requires a CUP for school uses, and a Special Use Permit (SUP) for exterior commercial areas within 150 feet of a residentially zoned property, for the maximum noise level at the property lines to be exceeded, and for an alternate parking arrangement. Minor interior changes to the building are proposed; no change to the exterior of the buildings or expansion of the existing building footprint will occur.

3. **General Plan Conformance.** The project is consistent with the Envision San José 2040 General Plan Land Use/Transportation Diagram designation of Public/Quasi-Public. This designation envisions public land uses, specifically schools, as well as corporation yards, homeless shelters, libraries, and governmental offices. This category is also used to designate lands used by some private entities including private schools, daycare centers, and hospitals. As a non-profit school which serves public school children, this use is consistent with the uses allowed by this General Plan land use designation.

The project is also consistent with the following General Plan goals and policies:

- Education Goal ES-1: Promote the operation of high-quality education facilities throughout San Jose as a vital element to advance the City's Vision and goals for community building, economic development, social equity, and environmental leadership.

- Educational Policy ES-1.4: Encourage and enable new schools, public or private, to avoid locations that could pose health and safety risks to children (e.g. locations near industrial uses, hazardous material storage, and excessive noise).
- Educational Policy ES-1.14: Collaborate with school districts, the community, post-secondary institutions, businesses, and industry to ensure availability of necessary resources to meet student needs.

The proposed use would provide a vital and specialized, high-quality educational facility that provides resources to an underserved minority of the population. By providing such services and resources to this population the proposed school program would advance the depth of community services available to the City's and region's population. The subject site is located adjacent to a mix of residential and open space uses. There are no industrial uses or hazardous materials sites located in the vicinity of the proposed project.

- Land Use Policy LU-1.8: Preserve existing Public/Quasi-Public lands in order to maintain an inventory of sites suitable for Private Community Gathering Facilities, particularly within the Residential Neighborhood, Urban Villages, and commercial areas, and to reduce the potential conversion of employment lands to non-employment use.

The existing Public/Quasi-Public General Plan Designation directly speaks to providing land for educational facilities. By allowing the proposed use, the subject site would remain a Public/Quasi-Public use for the life of the school. Although there are a mix of General Plan designations within the vicinity of the subject site, the area is predominantly residential, with Residential Neighborhood and Mixed Use Neighborhood designations. Additionally, this land use policy refers to the preservation of Public/Quasi-Public land for employment use. Due to the high student/faculty ratio, this particular educational facility maintains a particularly high employment rate.

4. **Zoning Ordinance Compliance.** The project is consistent with the regulations of the Zoning Ordinance in the following manner:

- Land Uses.** This project complies with all applicable provisions of the Zoning Ordinance, in that school uses within the R-1-8 Single Family Residence Zoning District require a CUP, exterior play area within 150 feet of a residentially zoned property require a CUP or an SUP; exceedance of the maximum allowable noise level at the property lines requires a CUP or an SUP; and an alternate parking arrangement requires a SUP. The required findings for approval of a Special Use Permit are the same as those required for a Conditional Use Permit, and both permits require a public hearing; therefore, special uses may be evaluated and permitted as conditional uses when combined with other uses that require a Conditional Use Permit.
- Noise.** Per Section 20.30.700 of the Zoning Ordinance, the decibel level of a commercial outdoor space within 150 feet of a property line for a residential property shall not exceed 55 dBA. A noise study was prepared analyzing the existing ambient noise levels of the site and the anticipated noise levels that would be generated by the proposed school operation. The noise study found that the daily maximum noise levels (measured Monday through Thursday) of the current conditions ranged from 70 to 75 dBA, with higher maximum levels occurring in the evening from other sources. It should also be noted that the existing conditions studied included noise from the existing playground activity at the site. Outdoor activity from the proposed project is anticipated to be a maximum of 75 dBA, and while this noise level exceeds the Zoning Code requirement, it is not an increase over the existing noise levels generated by ambient sources and noise associated with the existing program.

- c. **Parking Requirements.** Elementary schools are required to provide one parking space per staff member. The school would have 100 staff members and would require 100 parking spaces; the project would provide a minimum of 100 spaces. Therefore, the use meets the Zoning Ordinance requirement for parking.
 - d. **Height and Setback Requirements.** There are no physical changes proposed to the building, therefore, height and setback requirements are not applicable to this project.
5. **Environmental Review.** Under the provisions of 15301(a) Existing Facilities of the State Guidelines for Implementation of the California Environmental Quality Act, this project is found to be exempt from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act of 1970, as amended, in that the project involves the utilization of two existing buildings totaling approximately 22,215 square feet in an urbanized area and that there would be negligible or no expansion of the existing use or building footprint. No significant amounts of hazardous substances are involved, all necessary public services and facilities are available and the subject site is located within a developed area and is not environmentally sensitive.
6. **Conditional and Special Use Permit Findings.** Further, the Planning Commission concludes and finds, based on the analysis of the above facts in regards to the Conditional Use Permit, that:
- a. The proposed use at the location requested will not:
 - i. Adversely affect the peace, health, safety, morals or welfare of persons residing or working in the surrounding area; or
 - ii. Impair the utility or value of property of other persons located in the vicinity of the site; or
 - iii. Be detrimental to public health, safety or general welfare.

Analysis: The primary impacts to surrounding uses typically associated with schools are vehicle traffic and noise from outdoor play areas. In this case, traffic would be adequately managed by utilizing school-provided van transportation with limited client pick-up and drop-off. Traffic impacts would be primarily from staff arrival and departure, each of which would occur once daily, outside of peak traffic hours, and would be aided by utilizing programmatic incentives to reduce single-occupant private vehicle trips.

While noise from the outdoor play area would exceed Zoning Ordinance standards, the anticipated 75 dBA maximum noise level would not increase noise levels over the existing ambient and existing daycare noise levels.

The requested alternate parking arrangement would allow a more efficient use of an existing parking lot at the church as it is underutilized during the week when the school would be in session. The parking lot would be utilized by the church on the weekend when the school would not be in operation; therefore, up to 80 of the required 100 parking spaces would be available for the primary use. There would not be any school use of the church parking lot during church operation.

Therefore, the project is not anticipated to adversely affect the community, impair the value of adjoining property, or be detrimental to public health, safety, or welfare. This finding can be made.

- b. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

Analysis: The existing buildings and play area proposed for the school are adequate to accommodate the proposed enrollment of 116 clients and 100 staff. The Zoning Ordinance requires one parking space per staff member; thus, 100 parking spaces are required. There are 40 existing parking spaces for the school in the northside onsite parking lot, and with implementation of the alternative parking at the church, an additional 80 parking spaces would be provided. If the alternative parking arrangement cannot be made, an additional 60 parking spaces would be provided onsite with construction of a parking lot on the south side of the site. The proposed site design includes adequate maneuvering areas for cars. The proposed site is of adequate size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features required for the project. Therefore, this finding can be made.

c. The proposed site is adequately served:

- i. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate; or by other forms of transit adequate to carry the kind and quantity of individuals such use would generate; and
- ii. By other public or private service facilities as are required.

Analysis: The proposed site is served by St. Elizabeth Drive, and is also in close proximity to bus and light rail transportation. The project site is approximately 1,254 feet from the closest bus stop, and approximately 2,213 feet from the closest light rail station. Further, the site is served by existing public utilities and infrastructure. This finding can therefore be made.

To approve a Special Use Permit for the Off-Site Alternative Parking Arrangement, the Planning Commission must make findings that include the following:

1. In addition to any other findings required for a Special Use Permit, the director, or Planning Commission on appeal, may approve such off-street parking facilities arrangements only upon making the following findings:
 - a. The number of off-street parking spaces provided in such parking facilities adequately meets the parking requirements of the individual buildings and uses as specified in this Chapter 20.90 of this title;
 - b. It is reasonably certain that the parking facility shall continue to be provided and maintained at the same location for the service of the building or use for which such facility is required, during the life of the building or use; and
 - c. The parking facility is reasonably convenient and accessible to the buildings or uses to be served.

The subject site has 40 existing parking spaces, and with the 80 spaces provided at the nearby church parking lot, the number of spaces provided would exceed the number of spaces required for the school use. The school would only utilize these spaces outside of assembly use times at the church. It is reasonably certain that the church parking lot would remain and continue to provide the subject parking spaces and in the event that they are not able to provide the subject spaces in the future, the school use would be able to provide the requisite parking spaces on-site with site modifications. The church parking lot is across the street from the school property and it is reasonably convenient and accessible to the school site.

In accordance with the findings set forth above, a Conditional Use Permit for said purpose specified above and subject to each and all of the conditions hereinafter set forth is hereby **approved**. The Planning Commission expressly declares that it would not have granted this Permit except upon and subject to each and all of said conditions, each and all of which conditions shall run with the land and be binding upon the owner and all subsequent owners of the subject property, and all persons who use the subject property for the use conditionally permitted hereby.

APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. **Acceptance of Permit.** Per Section 20.100.290(B) of Title 20 of the San José Municipal Code, should the applicant fail to file a timely and valid appeal of this Conditional Use Permit within the applicable appeal period, such inaction by the applicant shall be deemed to constitute all of the following on behalf of the applicant:
 - a. Acceptance of the Conditional Use Permit by the applicant; and
 - b. Agreement by the applicant to be bound by, to comply with, and to do all things required of or by the applicant pursuant to all of the terms, provisions, and conditions of this Permit or other approval and the provisions of Title 20 of the San José Municipal Code applicable to such Permit.
2. **Permit Expiration.** This Conditional Use Permit shall automatically expire two (2) years from and after the date of issuance hereof by the Planning Commission, if within such time period, a Building Permit has not been obtained or the use, if no Building Permit is required, has not commenced, pursuant to and in accordance with the provision of this Conditional Use Permit. The date of issuance is the date this Permit is approved by the Planning Commission. However, the Director of Planning may approve a Permit Adjustment/Amendment to extend the validity of this Permit in accordance with Title 20. The Permit Adjustment/Amendment must be approved prior to the expiration of this Conditional Use Permit.
3. **Building Permit/Certificate of Occupancy.** Procurement of a Building Permit and/or Certificate of Occupancy from the Building Official for the structures described or contemplated under this Conditional Use Permit shall be deemed acceptance of all conditions specified in this Permit and the applicant's agreement to fully comply with all of said conditions. No change in the character of occupancy or change to a different group of occupancies as described by the Building Code shall be made without first obtaining a Certificate of Occupancy from the Building Official, as required under San José Municipal Code Section 24.02.610, and any such change in occupancy must comply with all other applicable local and state laws.
4. **Sewage Treatment Demand.** Chapter 15.12 of Title 15 of the San José Municipal Code requires that all land development approvals and applications for such approvals in the City of San José shall provide notice to the applicant for, or recipient of, such approval that no vested right to a Building Permit shall accrue as the result of the granting of such approval when and if the City Manager makes a determination that the cumulative sewage treatment demand of the San José Santa Clara Regional Wastewater Facility represented by approved land uses in the area served by said Plant shall cause the total sewage treatment demand to meet or exceed the capacity of San José Santa Clara Regional Wastewater Facility to treat such sewage adequately and within the discharge standards imposed on the City by the State of California Regional Water Quality Control Board for the San Francisco Bay Region. Substantive conditions designed to decrease sanitary sewage associated with any land use approval may be imposed by the approval authority.

5. **Conformance to Plans.** The development of the site shall conform to the approved Conditional Use Permit plans entitled, “Morgan Autism Center” dated received April 25, 2016 on file with the Department of Planning, Building and Code Enforcement, as may be amended subject to City’s approval, and to the San José Building Code (San José Municipal Code, Title 24), as amended. The plans are referred to herein as the “approved plans” or “Approved Plan Set”.
6. **Compliance with All Laws.** The subject use shall be conducted in full compliance with all local, and state laws and regulations. No part of this approval shall be construed to permit a violation of any part of the San José Municipal Code.
7. **Discretionary Review.** The Director of Planning, Building and Code Enforcement maintains the right of discretionary review of requests to alter or amend structures, conditions, or restrictions of this Permit incorporated by reference in accordance with Chapter 20.100 of the San José Municipal Code.
8. **Use Authorization.** This Conditional Use Permit authorizes a school for up to 116 clients within two existing buildings totaling approximately 22,215 square feet with a proposed exterior play area within 150 feet of a residentially zoned property; and to allow the maximum allowable noise level at the property lines to exceed 55 decibels but not to exceed 75 dBA.
 - a. Upon submittal and recordation of a Permit Adjustment, an alternate parking arrangement with the property located at 1470 McKinley Avenue is allowed in accordance to Section 20.90.200 of the San José Municipal Code.
9. **Nuisance.** This use shall be operated in a manner which does not create a public or private nuisance. Any such nuisance shall be abated immediately upon notice by the City.
10. **Outdoor Storage.** No outdoor storage shall be allowed or permitted unless designated on the Approved Plan Set.
11. **Anti-Graffiti.** The permittee shall remove all graffiti from buildings, fences, and wall surfaces within 48 hours of defacement.
12. **Anti-Litter.** The site and surrounding area shall be maintained free of litter, refuse, and debris.
13. **Loitering.** Loitering shall not be allowed in the public right-of-way adjacent to the subject site.
14. **Noise.** Noise shall be contained within the buildings and the buildings shall be adequately insulated to prevent excessive sound from emanating outside. Adequate HVAC (air conditioning) shall be provided to allow all doors and windows on the subject site to remain closed during the operation and activities of the site.
15. **Lighting.** No new on-site lighting is approved through issuance of this Permit.
16. **Sign Approval.** No signs are approved at this time. All proposed signs shall be subject to review and approval by the Director of Planning through a subsequent Permit Adjustment.
17. **Building and Property Maintenance.** The permittee or the permittee’s management company shall maintain the property in good visual and functional condition. This shall include, but not be limited to all exterior elements of the buildings such as paint, roof, paving, signs, lighting and landscaping.
18. **Street Number Visibility.** Street numbers of the buildings shall be easily visible from the street at all times, day and night.

19. **Mechanical Equipment.** This Permit does not allow the addition of any roof mounted mechanical equipment.
20. **Generators.** This Permit does not include the approval of any stand-by/backup electrical power generation facility. Any future stand-by/backup generators shall secure appropriate permits and shall conform to the regulations of Title 20 of the Municipal Code.
21. **Window Glazing.** Unless otherwise indicated on the approved plans, all windows shall consist of a transparent glass.
22. **Building Division Clearance for Issuing Permits.** Prior to the issuance of a Building Permit, the following requirements shall be met to the satisfaction of the Chief Building Official:
- Construction Plans.* This permit file number, CP16-006, shall be printed on all construction plans submitted to the Building Division.
 - Americans with Disabilities Act.* The applicant shall provide appropriate access as required by the Americans with Disabilities Act (ADA).
 - Construction Plan Conformance.* A project construction plan conformance review by the Planning Division is required. Planning Division review for project conformance will begin with the initial plan check submittal to the Building Division. Prior to any building permit issuance, building permit plans shall conform to the approved Planning development permits and applicable conditions.
23. **Access Control.** Access control devices, including bars, grates, gates, electric and/or magnetic locks, or similar devices, which when installed would inhibit rapid fire department emergency access to the building, shall be approved by the Chief Building Official. All access control devices shall be provided with an approved means for deactivation or unlocking by the Fire Department. Access control devices shall also comply with CFC/CBC Chapter 10 for exiting.
24. **Public Works Clearance for Building Permit(s) or Map Approval.** Prior to the approval of the Tract or Parcel Map (if applicable) by the Director of Public Works, or the issuance of Building permits, whichever occurs first, the applicant will be required to have satisfied all of the following Public Works conditions. The applicant is strongly advised to apply for any necessary Public Works permits prior to applying for Building permits. Standard review timelines and submittal instructions for Public Works permits may be found at the following:
<http://www.sanjoseca.gov/index.aspx?nid=2246>.
- Transportation:** The projected traffic for this project was reviewed and found to be less than the traffic generated for the previous use, therefore no further traffic analysis is required. *The City's Department of Transportation has reviewed the project, and determined that the proposed school use would not generate additional trips over what is currently generated by the existing daycare use (which has had a fluctuating enrollment, with a maximum of 150 children). Furthermore, the current use generates pick-up/drop-off trips during the peak hours, whereas trips generated by the proposed school would primarily be of 100 staff members arriving and departing from the site, outside of peak hours (as the school begins after the peak morning hour has concluded and ends before the peak afternoon hour begins). Therefore no traffic impacts would result from the project.*
 - Grading/Geology:**
 - A grading permit is required prior to the issuance of a Public Works Clearance. The construction operation shall control the discharge of pollutants (sediments) to the storm drain system from the site. An erosion control plan may be required with the grading application.

- ii. All on-site storm drainage conveyance facilities and earth retaining structures 4 feet in height or greater (top of wall to bottom of footing) or is being surcharged (slope of 3:1 or greater abutting the wall) shall be reviewed and approved under Public Works grading and drainage permit prior to the issuance of Public Works Clearance. The drainage plan should include all underground pipes, building drains, area drains and inlets. The project shall provide storm drainage calculations that adhere to the 2010 California Plumbing Code or submit a stamped and signed alternate engineered design for Public Works discretionary approval and should be designed to convey a 10 year storm event.
 - c. **Stormwater Runoff Pollution Control Measures:** This project must comply with the City's Post-Construction Urban Runoff Management Policy (Policy 6-29) which requires implementation of Best Management Practices (BMPs) and includes site design measures, source controls and numerically-sized Low Impact Development (LID) stormwater treatment measures to minimize stormwater pollutant discharges.
 - i. The project's preliminary Stormwater Control Plan and numeric sizing calculations have been reviewed.
 - ii. Final inspection and maintenance information on the post-construction treatment control measures must be included on the final Stormwater Control Plan.
 - d. **Stormwater Peak Flow Control Measures:** The project is located in a non-Hydromodification Management area and is not required to comply with the City's Post-Construction Hydromodification Management Policy (Council Policy 8-14).
 - e. **Flood Zone D:** The project site is not within a designated Federal Emergency Management Agency (FEMA) 100-year floodplain. Flood Zone D is an unstudied area where flood hazards are undetermined, but flooding is possible. There are no City floodplain requirements for Zone D.
 - f. **Sewage Fees:** In accordance with City Ordinance all storm sewer area fees, sanitary sewer connection fees, and sewage treatment plant connection fees, less previous credits, are due and payable prior to Public Works Clearance of Building Permits.
 - g. **Street Improvements:**
 - i. Applicant shall be responsible to remove and replace curb, gutter, and sidewalk damaged during construction of the proposed project.
 - ii. Remove and replace broken or uplifted curb, gutter, and sidewalk along project frontage.
 - h. **Electrical:** Existing electroliers along the project frontage will be evaluated at the public improvement stage and any street lighting requirements will be included on the public improvement plans.
25. **Revocation, Suspension, Modification.** This Conditional Use Permit may be revoked, suspended or modified by the Planning Commission, or by the City Council on appeal, at any time regardless of who is the owner of the subject property or who has the right to possession thereof or who is using the same at such time, whenever, after a noticed hearing in accordance with Part 2, Chapter 20.100, Title 20 of the San José Municipal Code it finds:
- a. A violation of any conditions of the Conditional Use Permit was not abated, corrected or rectified within the time specified on the notice of violation; or
 - b. A violation of any City ordinance or State law was not abated, corrected or rectified within the time specified on the notice of violation; or

c. The use as presently conducted creates a nuisance.

In accordance with the findings set forth above, a permit to use the subject property for said purpose specified above is hereby **approved**.

APPROVED and issued this **25th day of May, 2016**, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DORI YOB
Chairperson

ATTEST:

HARRY FREITAS
Director of Planning, Building & Code Enforcement
Planning Commission Secretary

NOTICE TO PARTIES

The time within which judicial review must be sought to review this decision is governed by the provisions of the California Code of Civil Procedure Section 1094.6.

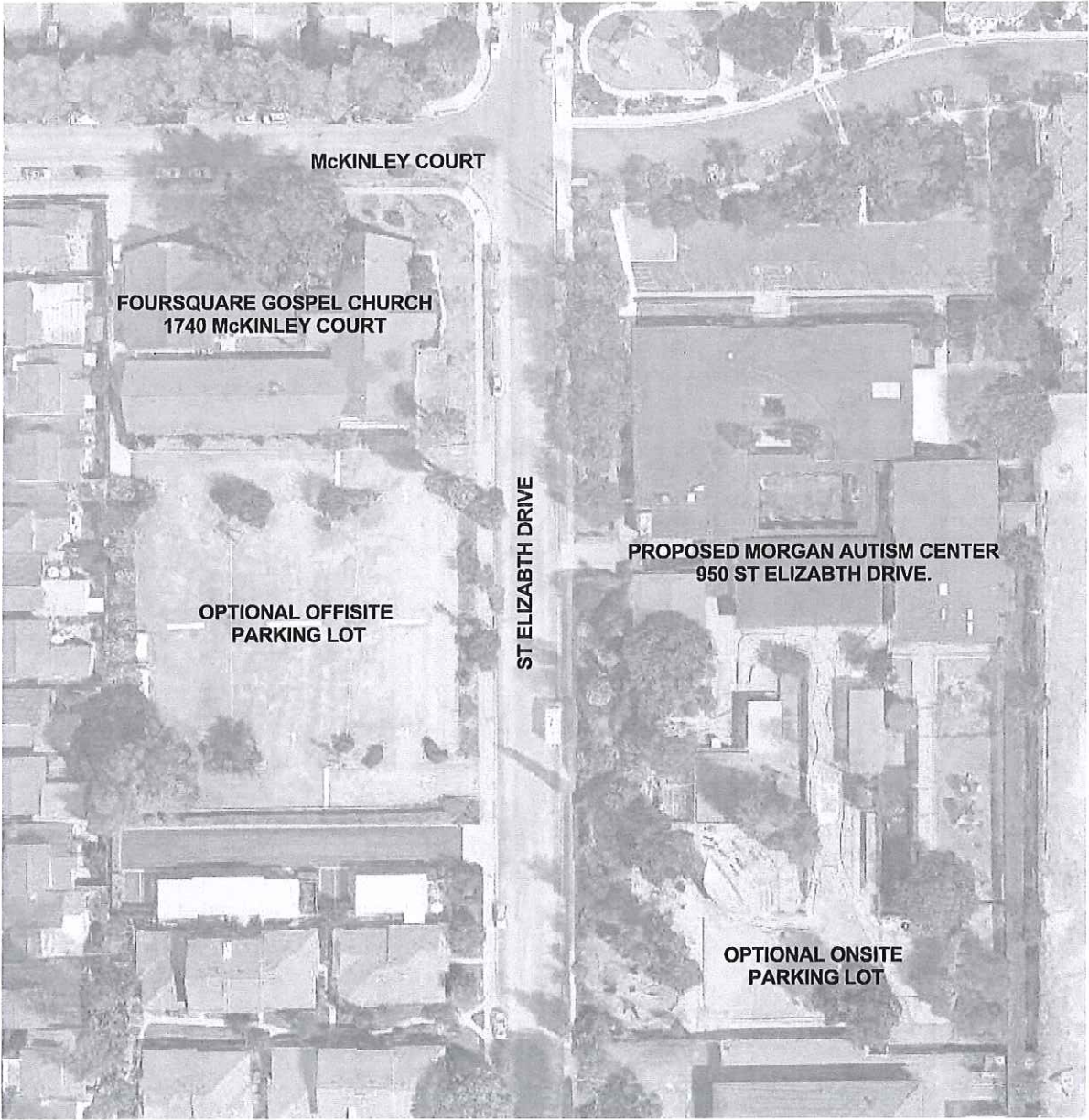
MORGAN AUTISM CENTER

CONDITIONAL USE PERMIT

950 ST ELIZABETH DRIVE
SAN JOSE, CA 95126

APN: 284-07-027

CUP PLANNING RESUBMITAL - APRIL 25, 2016
ISSUED FOR PLANNING COMMISSION - MAY 25, 2016



SITE AERIAL

1

PROJECT DESCRIPTION

CITY OF SAN JOSE

RELOCATION OF MORGAN AUTISM CENTER, A NON-PROFIT FACILITY THAT PROVIDES LEARNING AND COMMUNITY INTEGRATION OPPORTUNITY FOR AUTISTIC STUDENTS AND ADULTS



EATON HALL ARCHITECTURE

1501 The Alameda, Ste 105
San Jose, CA 95126

TEL 408.265.5255
FAX 408.265.6155

A CALIFORNIA CORPORATION

PROJECT DIRECTORY

CLIENT: MORGAN AUTISM CENTER
2280 KENTWOOD AVE.
SAN JOSE, CA 95128
BRAD BOARDMAN
P: (408) 241-6161
E: brad@morgancenter.org

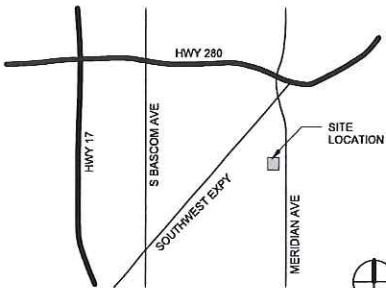
ARCHITECT: EATON HALL ARCHITECTURE INC.
1501 THE ALAMEDA, STE. 105
SAN JOSE, CA 95126
JEFFREY EATON, AIA
P: (408) 265-5255
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SHEET INDEX

PA0.1 GENERAL INFORMATION
PA1.0 EXISTING SITE PLAN
PA1.1 PROPOSED SITE PLAN - PHASE I
PA2.0 EXISTING FLOOR PLAN
PA2.2 PROPOSED FLOOR PLAN
PA3.0 BUILDING ELEVATIONS

CIVIL
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C2.0 STORMWATER CONTROL PLAN
L1.0 TREE MITIGATION PLAN, NOTES, AND DETAIL
L2.0 TREE MITIGATION LEGEND AND NOTES

VICINITY MAP



MORGAN AUTISM CENTER

950 ST ELIZABETH DRIVE
SAN JOSE, CA 95126

CLIENT:
MORGAN AUTISM CENTER

CP16-006

Rev. #	Description	Date
1	CUP Review for Approval	04/04/16
2	CUP Revisions	05/16/16

Project Number: 16.002
Date: FEB 17, 2016
Drawn by: JP, PM
Checked by: JE

Sheet Title:
GENERAL
INFORMATION

PA0.1



5/18/2016 11:33:56 AM

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ADJACENT
SINGLE FAMILY
RESIDENTIAL

McKINLEY AVE

FULL GOSPEL
CENTRAL CHURCH
OF SAN JOSE

FULL GOSPEL
CENTRAL CHURCH
PARKING

ADJACENT
SINGLE FAMILY
RESIDENTIAL

PARKING OPTION 1

PARKING OPTION 2: PROPOSED PHASE I
PARKING
+ 60 STALLS

ST. ELIZABETH DRIVE

84'-4"
EXISTING SETBACK

PUBLIC SHARED DRIVE

ST. ELIZABETH
PARK

ADJACENT
RESIDENTIAL

PUBLIC SHARED DRIVE

McKINLEY COURT
(E) SHARED
PARKING

(E) PARKING

ADJACENT
MULTIFAMILY
RESIDENTIAL

73'-2"
EXISTING SETBACK

BUILDING A

83'-2"
EXISTING SETBACK

PROPOSED MORGAN AUTISM CENTER
TENANT SPACE - STUDENT PROGRAM
APPROX. 16,773 SF
I-4 OCCUPANCY

(E) TRASH BINS
(E) TRASH
AREA

BUILDING B

21'-2"
(E) SETBACK

PROPOSED MORGAN AUTISM CENTER
TENANT SPACE - MULTIPURPOSE SPACE
APPROX. 5,442 SF
I-4 OCCUPANCY

ADJACENT
TENANT
SAN JOSE
WATER CO.

(E) OUTDOOR PLAY AREA
MORGAN AUTISM CENTER

(N) 42" HIGH FENCE ALONG PARKING LOT

PHASE I PARKING

ADJACENT MULTIFAMILY RESIDENTIAL

PROPOSED SITE PLAN - PHASE I

1" = 30'-0"

1



LEGEND

	STUDENT PROGRAM
	ADULT PROGRAM
	PATH OF TRAVEL
	(E) TREE TO REMAIN
	(E) TREE TO BE MOVED OR REPLACED

NO EXTERIOR BUILDING MODIFICATIONS;
FOR INTERIOR SCOPE, PLEASE SEE
PA2.1, PA2.2

TABULATIONS

SITE TABULATIONS

SITE ACREAGE	194,004 SF	100%
BUILDING SQ FOOTAGE:		
BUILDING A	16,773 SF	8.6%
BUILDING B	5,442 SF	2.8%
TOTAL BLDG SQ FOOTAGE:	22,215 SF	11.4%

REQUIRED PARKING

SAN JOSE ZONING:

TABLE 20-190
EDUCATION AND TRAINING, PRIVATE INSTRUCTION

OCCUPANTS

STAFF	100 STAFF
STUDENT PROGRAM	69 STUDENTS
ADULT PROGRAM	47 ADULTS

REQUIRED PARKING

STAFF	1 STAFF: 1 PARKING	100 STALLS
STUDENTS	3 STUDENTS: 1 PARKING	23 STALLS
ADULTS	3 ADULTS: 1 PARKING	16 STALLS

NOTE: ALL STUDENT AND ADULT CLIENTS ARE DISABLED
AND DO NOT DRIVE. ALL CLIENTS ARE DROPPED OFF BY
VAN AND THEREFORE NO STUDENT/ADULT PARKING IS
NEEDED.

TOTAL STALLS REQUIRED 100 STALLS

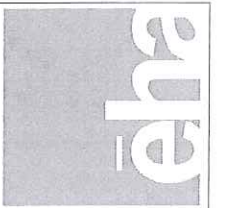
PARKING PROVIDED:

ON SITE (950 ST. ELIZABETH DR)

ACCESSIBLE STALLS	2 STALLS
EXISTING STANDARD STALLS	20 STALLS
ACCESSIBLE STALLS SHARED w/ ADJACENT RESIDENTIAL	2 STALLS
STANDARD STALLS SHARED w/ ADJACENT RESIDENTIAL	16 STALLS

PROPOSED PHASE I PARKING LOT	
PROPOSED NEW STANDARD SPACES	20 STALLS
PROPOSED NEW COMPACT SPACES	40 STALLS

TOTAL STALLS PROVIDED 100 STALLS



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950 ST ELIZABETH DRIVE
SAN JOSE, CA 95126

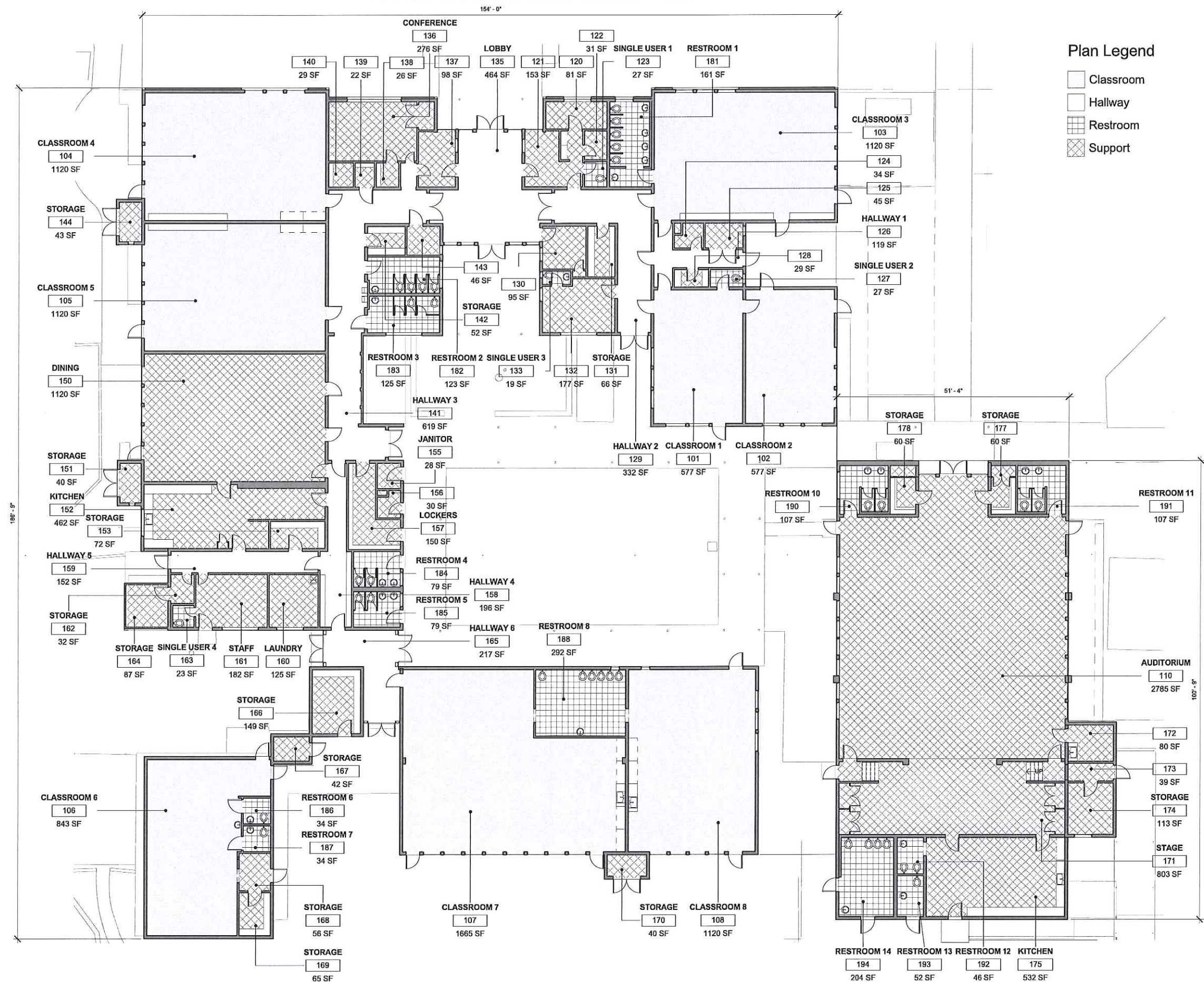
CLIENT:
MORGAN AUTISM CENTER

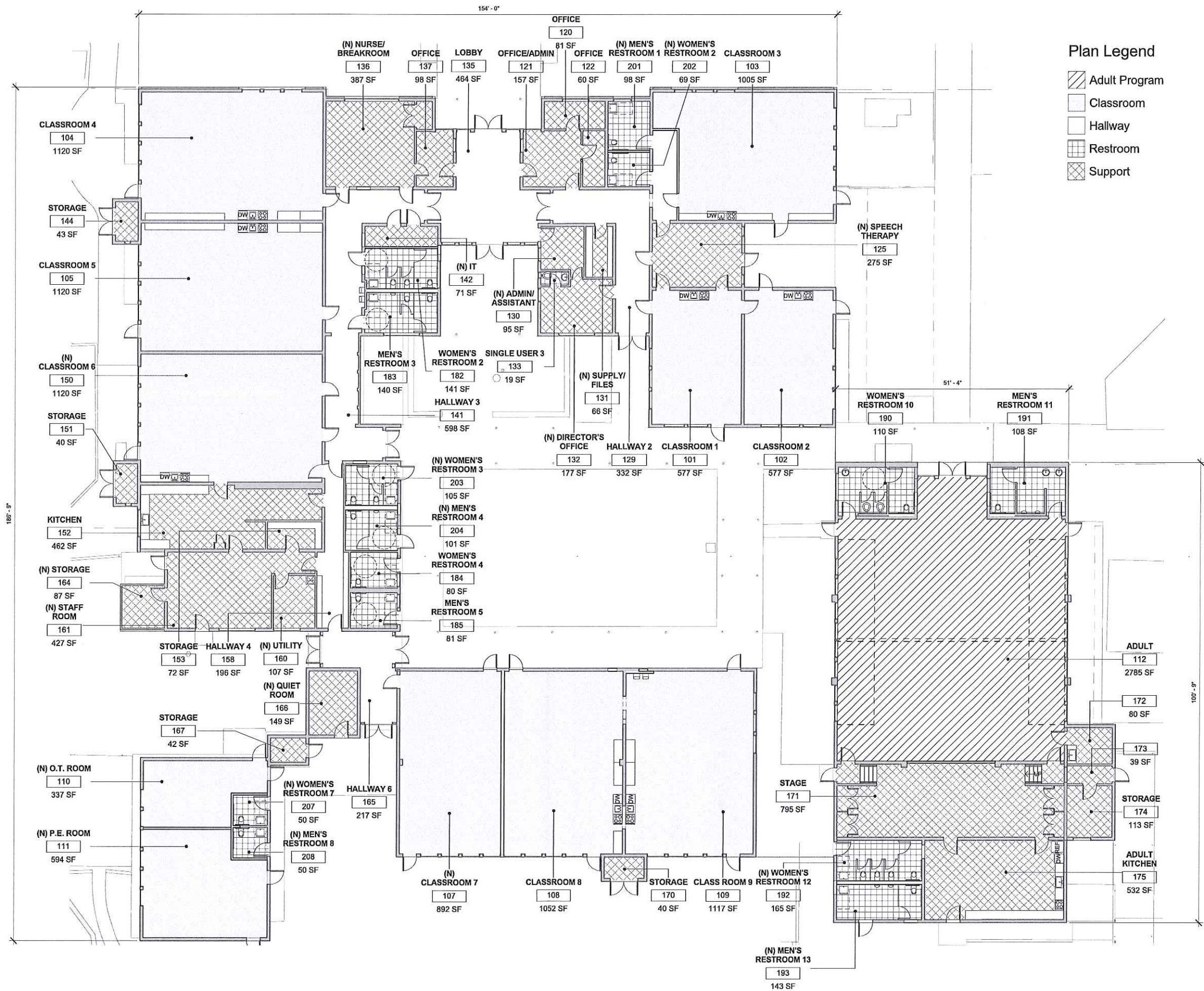
Rev. #	Description	Date
1	CLIP Issued for Approval	05/17/16
2	CLIP Revisions	04/04/16
3	CLIP Revisions	05/05/16

Project Number: 16.002
Date: FEB 17, 2016
Drawn by: JP, PM
Checked by: JE

Sheet Title:
PROPOSED SITE
PLAN - PHASE I

PA1.1





PROPOSED FLOOR PLAN

1" = 10'-0"



MORGAN AUTISM CENTER

950 ST ELIZABETH DRIVE
SAN JOSE, CA 95126

CLIENT:
MORGAN AUTISM CENTER

Rev. #	Description	Date
1	CLIP ISSUED FOR APPROVAL	02/17/16

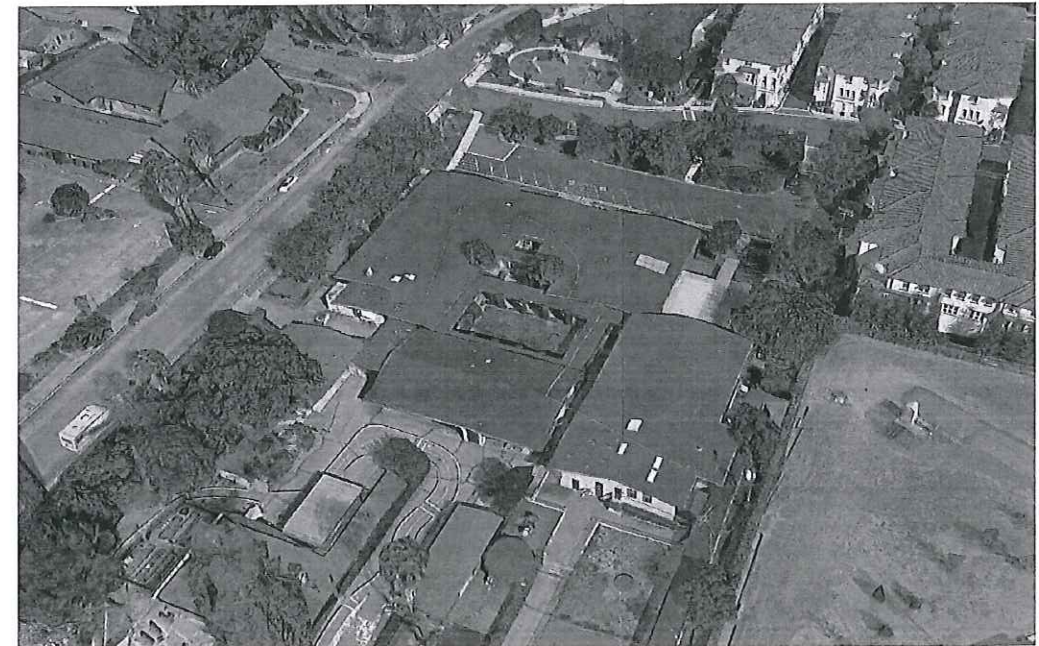
Project Number: 16.002
Date: FEB 17, 2016
Drawn by: JP, PM
Checked by: JE

Sheet Title:
PROPOSED
FLOOR PLAN

PA2.2



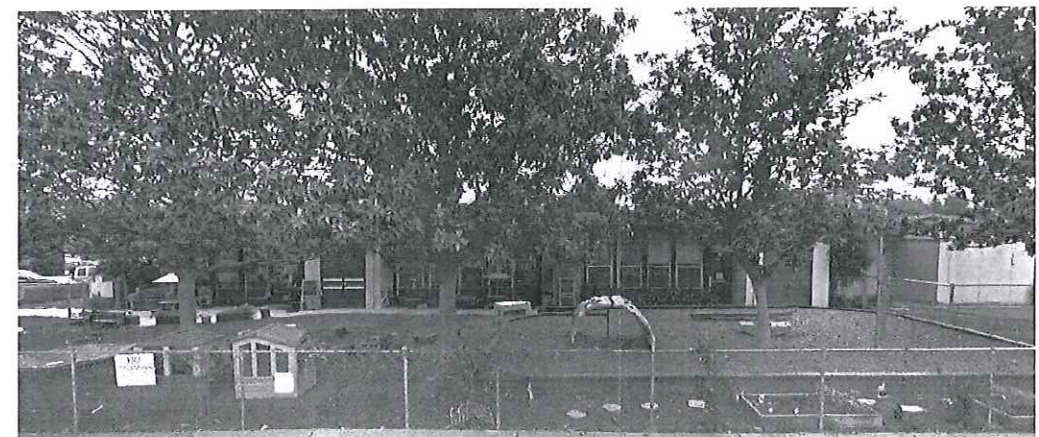
EXISTING REAR ELEVATION 7
1" = 1'-0"



EXISTING AERIAL VIEW 3
1" = 1'-0"



EXISTING REAR ELEVATION 6
1" = 1'-0"



EXISTING ST ELIZABETH DRIVE ELEVATION 2
1" = 1'-0"



EXISTING AUDITORIUM ELEVATION 9
1" = 1'-0"



EXISTING SIDE ELEVATION 5
1" = 1'-0"



EXISTING FRONT ELEVATION 1
1" = 1'-0"



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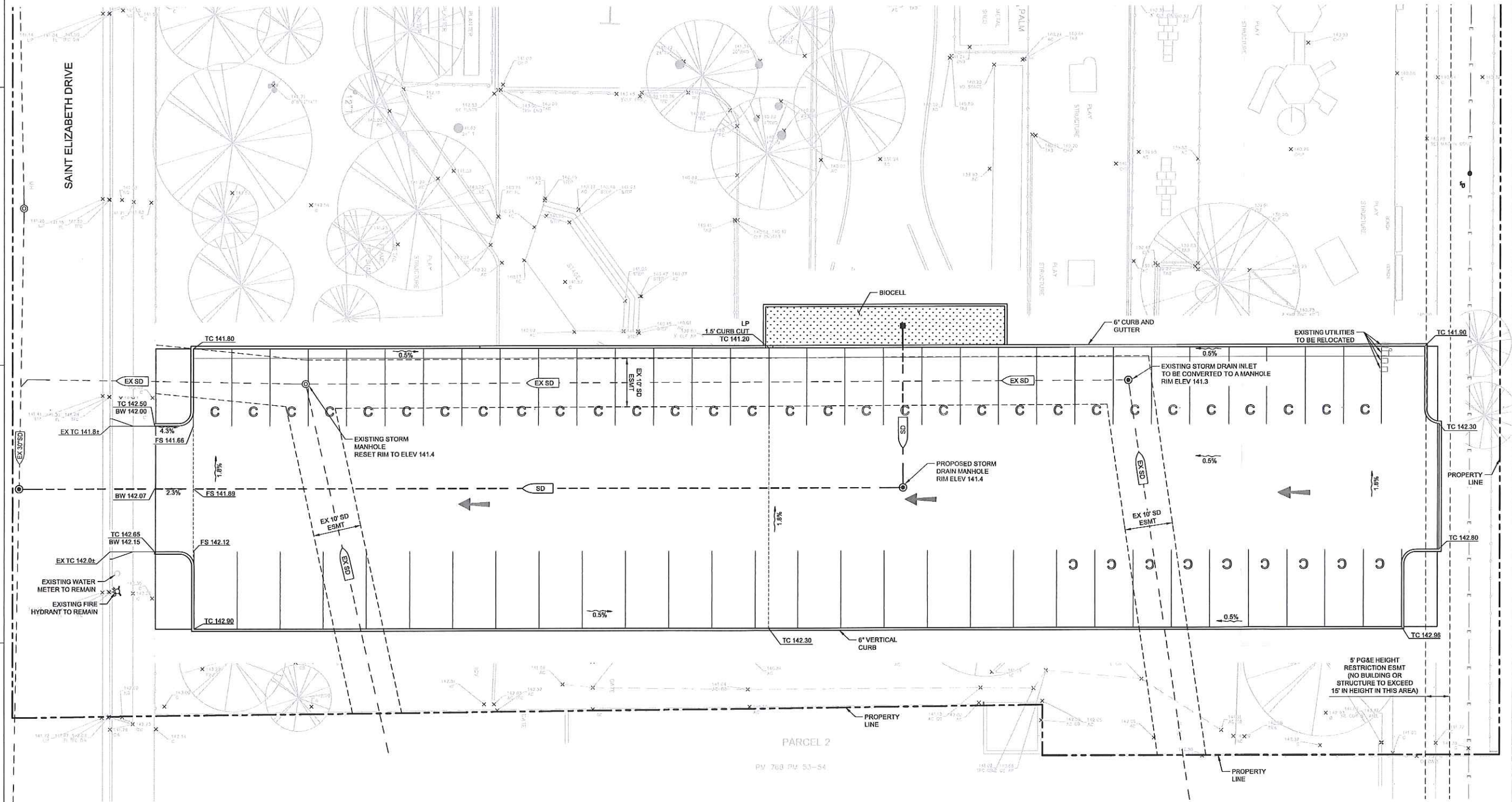
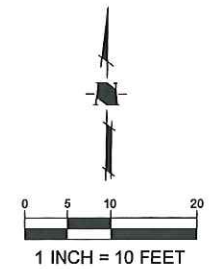
CLIENT:
MORGAN AUTISM CENTER

Rev. #	Description	Date
1	CLIP ISSUED FOR APPROVAL	02/17/16
	CLIP REVISIONS	04/04/16

Project Number: 16.002
Date: FEB 17, 2016
Drawn by: JP, PM
Checked by: JE

Sheet Title:
BUILDING
ELEVATIONS

PA3.0



MORGAN AUTISM CENTER

Sheet Title:

**GRADING AND
DRAINAGE PLAN**

C1.0



950 ST ELIZABETH DRIVE
SAN JOSE, CA 95126

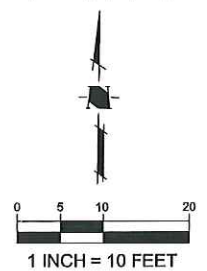
MORGAN AUTISM CENTER

[illegible]

Sheet Title:

**STORMWATER
CONTROL PLAN**

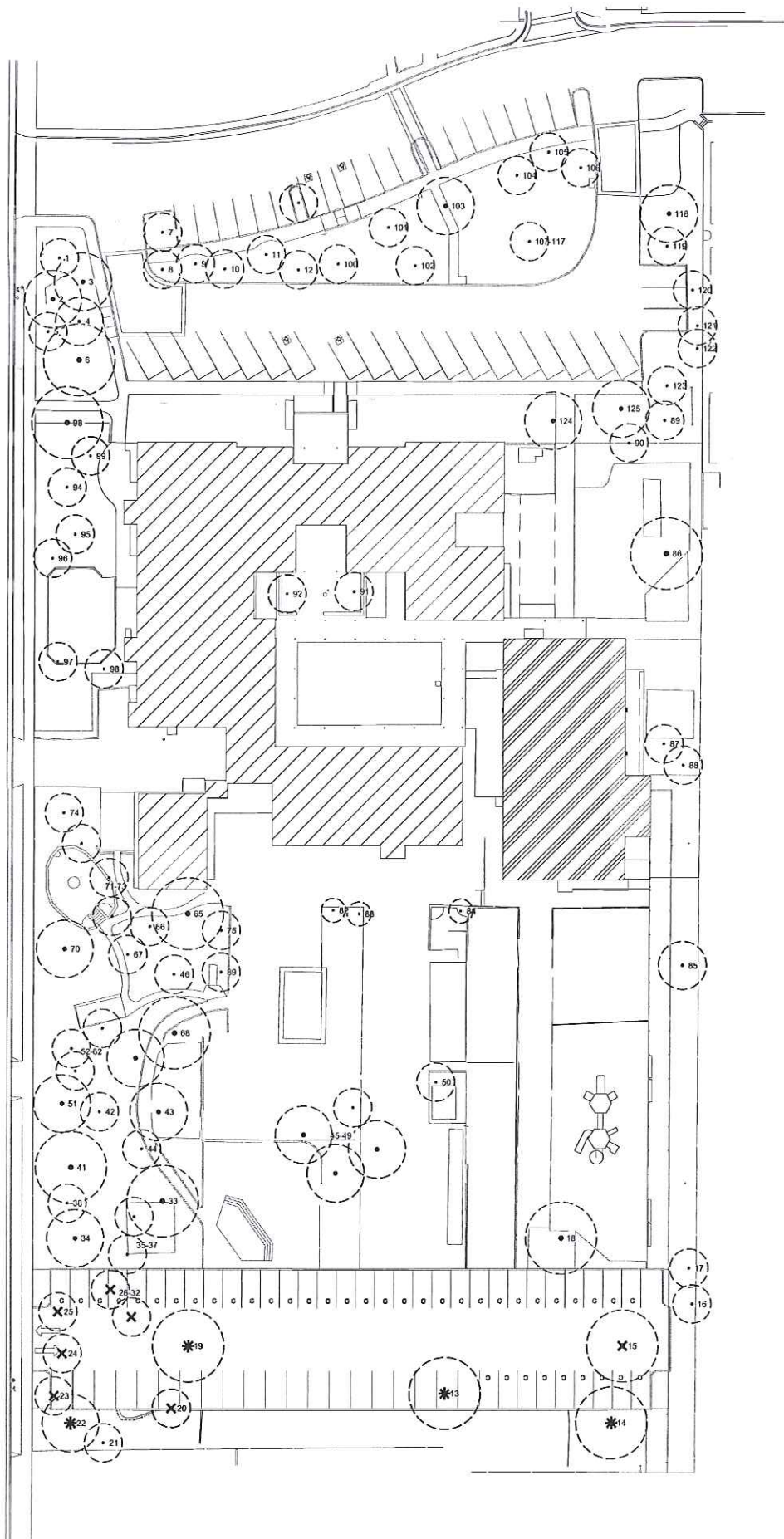
C2.0



- | PERVIOUS SURFACES COMPARISON TABLE | | | |
|---|---|---|------------------|
| Project Phase Number: (N/A, 1, 2, 3, etc.) | | | N/A |
| Total Site (acres) | 4.0 | Total Area of Site Disturbed (acres) | 0.5 |
| Impervious Surfaces | Existing Condition of Site Area Disturbed (square feet) | Proposed Condition of Site Area Disturbed (square feet) | |
| | | Replaced ¹ | New ² |
| Roof Area(s) | 0 | 0 | 0 |
| Parking | 0 | 0 | 15,432 |
| Sidewalks, Patios, Paths, Podium Deck, etc. | 11,365 | 0 | 0 |
| Streets (public) | 0 | 0 | 0 |
| Streets (private) | 0 | 0 | 0 |
| Total Impervious Surfaces: | 11,365 | 0 | 15,432 |
| Pervious Surfaces | | | |
| Landscaped Areas | 8460 | 4383 | 0 |
| Pervious Paving | 0 | 0 | 0 |
| Other Pervious Surfaces (green roof, etc.) | 0 | 0 | 0 |
| Total Pervious Surfaces: | 8,460 | 4,383 | 0 |
| Total Proposed Replaced + New Impervious Surfaces: | | | 15,432 |
| Total Proposed Replaced + New Pervious Surfaces: | | | 4,383 |

¹Proposed Replaced Impervious Surface: All impervious surfaces added to any area of the site that was a previously existing impervious surface.

	Drainage Area Number	C1
1	Total Drainage Area to BMP - A (ft^2)	15,432
2	Equivalent Impervious Area = $A \text{ ft}^2 \times (0.10 \text{ x perv. area})$	15,432
	Area discounted from Tree Credits (TC)	-
3	Equivalent Impervious Area - Tree Credits (AT)	15,432
4	Mean Annual Precipitation = 14.6 in.	
4	Rain gage closest to the site - San Jose Airport MA_{29} = 13.9 in	
5	Rain gage correction factor = $14.6 \text{ in} / 13.9 \text{ in.} = 1.05$	
6	Soil type for drainage area - D (clay loam)	
7	Average slope for the drainage area = 1%	
8	Adjusted unit basin storage from sizing curves = $1.05 \times 0.54 = 0.57 \text{ in}$	
9	Adjusted UBS volume (ft^3) - $0.57 \text{ in.} \times \text{AT ft}^2 \times (1 \text{ ft} / 12 \text{ in.})$	733
	Water Quality Design Volume (ft^3)	733
	Biotreatment Sizing	
1	V_{WQ} (ft^3) (Unit Basin Storage = 0.54 in.)	733
2	Assume rainfall intensity of 0.20 in/hr for flow-based sizing criteria	
3	Duration of the rain event = 0.57 in / 0.20 in/hr = 2.7 hr	
4	Preliminary estimate of total surface area - AP (ft^2) = $0.03 \times \text{AT}$	463
5	Assume 20% smaller surface area than calculated in 4 - AA (ft^2) = $0.80 \times \text{AP}$	370
6	Vol. of runoff filtering through treatment soil - VR (ft^3) = $AA \times 5.7 \text{ in} \times (1 \text{ ft} / 12 \text{ in.}) \times 2.7 \text{ hr}$	417
7	Portion of V_{WQ} req'd to be stored in ponding area - VP (ft^3) = $V_{WQ} - VR$	316
8	Average ponding depth is between 6 and 12 in - HP (in) = $VP \text{ ft}^3 / AA \text{ ft}^2 \times 12 \text{ in} / \text{ft}$	10.3
	Minimum required biotreatment cell surface area (ft^2)	370
	Biotreatment cell surface area provided (ft^2)	396



TREE PROTECTION NOTES

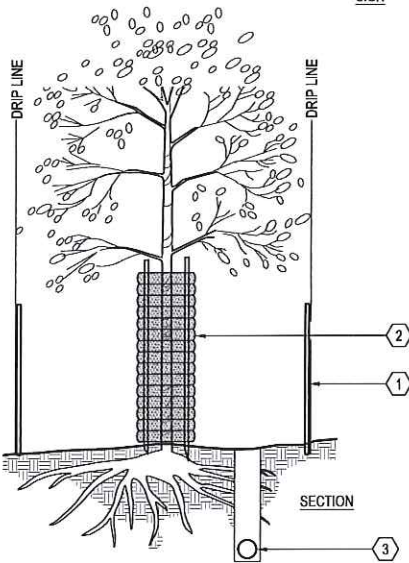
SECTION I
SITE PREPARATION: ALL EXISTING TREES SHALL BE FENCED OFF WITHIN, AT OR OUTSIDE THE DRIP LINE (FOLIAR SPREAD) OF THE TREE USING THE FOLLOWING FORMULA: TWELVE INCHES IN DISTANCE FROM THE TRUNK FOR EVERY INCH IN TRUNK DIAMETER, MEASURED 2.0 FEET ABOVE THE AVERAGE GROUND LEVEL. EXAMPLE: A 24 INCH DIAMETER TREE WOULD HAVE A FENCE ERECTED 24 FEET FROM THE BASE OF THE TREE (24 X 12 = 288 / 12 = 24). THE FENCE SHOULD BE A MINIMUM OF SIX FEET HIGH, MADE OF WIRE WITH STEEL STAKES, SUCH AS CYCLONE FENCING. IF THE FENCE IS WITHIN THE DRIP LINE OF THE TREES, EVERY ATTEMPT SHOULD BE MADE TO RELOCATE THE FENCE OUTSIDE THE DRIP LINE OF THE TREE. IF NOT POSSIBLE, THE TREE SHALL BE PRUNED TO REDUCE THE CHANCE OF LIMB BREAKAGE FROM CONSTRUCTION EQUIPMENT ENCROACHING WITHIN THE DRIP LINE. ALL CONTRACTORS, SUBCONTRACTORS AND OTHER PERSONNEL SHALL BE WARNED THAT ENCROACHMENT WITHIN THE FENCED AREA IS FORBIDDEN WITHOUT THE CONSENT OF THE CERTIFIED ARBORIST ON THE JOB. THIS INCLUDES, BUT IS NOT LIMITED TO, STORAGE OF LUMBER AND OTHER MATERIALS, DISPOSAL OF PAINTS, SOLVENTS OR OTHER NOXIOUS MATERIALS, PARKED CARS, GRADING EQUIPMENT OR OTHER HEAVY EQUIPMENT. PENALTIES, BASED ON THE COST OF REMEDIAL REPAIRS AND THE EVALUATION GUIDE PUBLISHED BY THE INTERNATIONAL SOCIETY OF ARBORICULTURE, SHALL BE ASSESSED FOR DAMAGES TO THE TREES.

SECTION II
GRADING/EXCAVATING: ALL GRADING PLANS THAT SPECIFY GRADING WITHIN THE DRIP LINE OF ANY TREE, OR WITHIN THE DISTANCE FROM THE TRUNK AS OUTLINED IN SECTION I WHEN SAID DISTANCE IS OUTSIDE THE DRIP LINE, SHALL FIRST BE REVIEWED BY THE CERTIFIED ARBORIST. PROVISIONS FOR AERATION, DRAINAGE, PRUNING, TUNNELING BENEATH ROOTS, ROOT PRUNING OR OTHER NECESSARY ACTIONS TO PROTECT THE TREES SHALL BE OUTLINED BY THE ARBORIST. IF TRENCHING IS NECESSARY WITHIN THE AREA AS DESCRIBED ABOVE, SAID TRENCHING SHALL BE UNDERTAKEN BY HAND LABOR. ALL ROOTS 2 INCHES OR LARGER SHALL BE TUNNELED UNDER AND OTHER ROOTS SHALL BE CUT SMOOTHLY TO THE TRUNK SIDE OF THE TRENCH. THE TRUNK SIDE SHOULD BE DRAPED IMMEDIATELY WITH TWO LAYERS OF UNTREATED BURLAP TO A DEPTH OF 3 FEET FROM THE SURFACE. THE BURLAP SHALL BE SOAKED NIGHTLY AND LEFT IN PLACE UNTIL THE TRENCH IS BACK FILLED TO THE ORIGINAL LEVEL. THE ARBORIST SHALL EXAMINE THE TRENCH PRIOR TO BACK FILLING TO ASCERTAIN THE NUMBER AND SIZE OF ROOTS CUT, SO AS TO SUGGEST THE NECESSARY REMEDIAL REPAIRS.

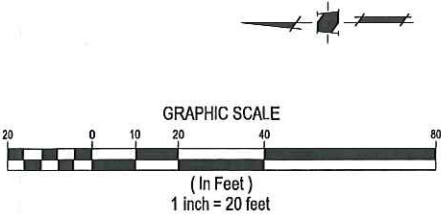
NOTES:

1. PROTECTION FOR TREES SHALL BE PROVIDED BEFORE GRADING OR OTHER EQUIPMENT IS ALLOWED ON THE PROPERTY. WHEN CONSTRUCTION IS TO TAKE PLACE BENEATH A TREE CANOPY FENCING SHALL BE LOCATED PER ARBORIST. IF CONSTRUCTION OR PAVING IS TO TAKE PLACE THROUGHOUT THE AREA BENEATH CANOPY, AND DRIP LINE FENCING IS NOT PRACTICAL, WATTLE AND SNOW FENCING SHOULD BE USED TO PROTECT THE TRUNKS FROM DAMAGE PER DETAIL.
2. PRUNING MAY BE NECESSARY TO FACILITATE REMOVAL OF DEAD WOOD, CONFLICT WITH NEW STRUCTURE, OR REDUCE STRESS AND SHALL BE CARRIED OUT BY A QUALIFIED ARBORIST.
3. CONSULT WITH ARBORIST TO DETERMINE FERTILIZING AND WATERING SCHEDULE FOR EXISTING TREES PRIOR TO CONSTRUCTION TO REDUCE SHOCK AND STRESS.
4. ONLY TREES WITHIN LIMIT OF WORK SHALL RECEIVE TREE PROTECTION WATTLE OR FENCING.

- 1 FENCE THE PERIMETER OF DRIP LINE WITH 6' HIGH CHAIN LINK FENCE. SECURE ONE SIGN PER ZONE AS DETAILED BELOW OR APPROVED EQUAL TO FENCE WITH WIRE TIES.
- 2 WHERE PROTECTIVE FENCING CAN NOT BE INSTALLED AT THE DRIP LINE OF THE TREE OR WHEN FENCING IS REMOVED FOR CONSTRUCTION, INSTALL LODGE POLE POSTS (4 PER TREE) AROUND TREE AND WRAP TRUNK IN STRAW WADDLE THEN ORANGE SNOW FENCING TO BRANCHING STRUCTURE.
- 3 CONTRACTOR SHALL CONSULT WITH ARBORIST FOR METHODS OF TRENCHING FOR INSTALLATION FOR UTILITIES WITHIN ROOTZONE.



A TREE PROTECTION DETAIL
SCALE: NONE



TREE PROTECTION LEGEND	
DESCRIPTION	SYMBOL
TREE TO BE REMOVED	X #
ORDINANCE TREE TO BE REMOVED	* #
TREE TO REMAIN/PROTECT	• #

ON-SITE TREE MITIGATION TABLE PER CSJ POLICY				
	DBH**	QTY***	REPLACEMENT RATIO-SIZE	QUANTITY REQUIRED
TOTAL NUMBER OF NATIVE TREES TO BE REMOVED	< 12" DIA.	0	1:1 - 15 GALLON	0
	12"-18" DIA.	0	3:1 - 24" BOX	0
	*18"+ DIA.	0	5:1 - 24" BOX	0
TOTAL NUMBER OF NON-NATIVE TREES TO BE REMOVED	< 12" DIA.	11	1:1 - 15 GALLON	11
	12"-18" DIA.	1	2:1 - 24" BOX	2
	*18"+ DIA.	4	4:1 - 24" BOX	16

- * IF QUANTITY OF PROPOSED TREES ARE NOT EQUAL TO OR GREATER THAN REQUIRED TREES, THE PROJECT IS SUBJECT TO MITIGATION FEES PER CITY OF SAN JOSE POLICY.
- ** ORDINANCE TREE HAS A DIAMETER BREAST HEIGHT (DBH) OF 18 INCHES OR GREATER. BREAST HEIGHT IS 2' ABOVE GRADE ON THE UPHILL SIDE OF TREE.
- *** PER THE TREE SURVEY, DATED 08/19/15.

- THE SIZE OF A 15-GALLON REPLACEMENT TREE CAN BE INCREASED TO 24-INCH BOX AND COUNT AS TWO REPLACEMENT TREES.

TREE MITIGATION SUMMARY TABLE		
TOTAL TREES REQUIRED TO MEET MITIGATION REQUIREMENTS	QUANTITY	SIZE
	11	15 GALLON
	+18	24" BOX
		=29 TREES REQUIRED
TOTAL PROPOSED TREES (NOT INCLUDING STREET TREES)	XX ± *	



MORGAN AUTISM CENTER

950 ST ELIZABETH DRIVE
SAN JOSE, CA 95126

CLIENT:
MORGAN AUTISM CENTER

Project Number: 4695.10
Date: FEB 17, 2016
Drawn by: MA
Checked by: WBS

Sheet Title:
TREE MITIGATION
PLAN, NOTES AND
DETAIL

L1.0

950 St. Elizabeth Drive, San Jose Tree Survey Completed August 19, 2015 Trees Species Observed on Site			
Tree #	Scientific Name	Common Name	Size*
1	<i>Platanus acerifolia</i>	London plane	20.5
2	<i>Washingtonia robusta</i>	Mexican fan palm	68
3	<i>Washingtonia robusta</i>	Mexican fan palm	65
4	<i>Washingtonia robusta</i>	Mexican fan palm	70
5	<i>Ginkgo biloba</i>	Maidenhair	18
6	<i>Magnolia grandiflora</i>	Southern Magnolia	56
7	<i>Washingtonia robusta</i>	Mexican fan palm	54
8	<i>Platanus acerifolia</i>	London plane	12.5
9	<i>Washingtonia robusta</i>	Mexican fan palm	47
10	<i>Arbutus unedo</i>	Strawberry tree	23
11	<i>Arbutus unedo</i>	Strawberry tree	23
12	<i>Arbutus unedo</i>	Strawberry tree	24
13	<i>Persea Americana var.</i>	Avocado	154
14	<i>Ligustrum lucidum</i>	Glossy privet	90
15	<i>Ligustrum lucidum</i>	Glossy privet	48
16	<i>Quercus agrifolia</i>	Coast Live Oak	14
17	<i>Quercus agrifolia</i>	Coast Live Oak	20
18	<i>Magnolia grandiflora</i>	Southern Magnolia	65
19	<i>Ficus carica</i>	Brown Turkey fig	68
20	<i>Sequoia sempervirens</i>	Redwood	14
21	<i>Liquidambar styraciflua</i>	American sweet gum	28
22	<i>Calocedrus decurrens</i>	Cedar	63
23	<i>Liquidambar styraciflua</i>	American sweet gum	16
24	<i>Liquidambar styraciflua</i>	American sweet gum	14
25	<i>Liquidambar styraciflua</i>	American sweet gum	19.5
26	<i>Cupressus sempervirens</i>	Italian Cypress	18
27	<i>Cupressus sempervirens</i>	Italian Cypress	11
28	<i>Cupressus sempervirens</i>	Italian Cypress	10
29	<i>Cupressus sempervirens</i>	Italian Cypress	15
30	<i>Cupressus sempervirens</i>	Italian Cypress	16
31	<i>Cupressus sempervirens</i>	Italian Cypress	16
32	<i>Cupressus sempervirens</i>	Italian Cypress	20
33	<i>Pinus canariensis</i>	Canary Island pine	99
34	<i>Ficus carica</i>	Brown Turkey fig	65
35	<i>Callistemon citrinus</i>	Bottlebrush tree	23
36	<i>Callistemon citrinus</i>	Bottlebrush tree	26
37	<i>Callistemon citrinus</i>	Bottlebrush tree	28
38	<i>Malus sp.</i>	Apple	20
39	<i>Eriobotrya japonica</i>	Loquat	41
40	<i>Punica granatum</i>	Pomegranate	41
41	<i>Pyrus sp.</i>	Pear	130
42	<i>Diospyros sp.</i>	Persimmon	31
43	<i>Olea europaea</i>	European olive	65

950 St. Elizabeth Drive, San Jose Tree Survey Completed August 19, 2015 Trees Species Observed on Site			
Tree #	Scientific Name	Common Name	Size*
87	<i>Jacaranda mimosifolia</i>	Jacaranda	24
88	<i>Jacaranda mimosifolia</i>	Jacaranda	13
89	<i>Juglans regia</i>	English walnut	68
90	<i>Prunus sp.</i>	Plum	4
91	<i>Podocarpus gracillior</i>	Fern pine	41.5
92	<i>Podocarpus gracillior</i>	Fern pine	40
93	<i>Magnolia grandiflora</i>	Southern Magnolia	77
94	<i>Magnolia grandiflora</i>	Southern Magnolia	37
95	<i>Magnolia grandiflora</i>	Southern Magnolia	49
96	<i>Magnolia grandiflora</i>	Southern Magnolia	31
97	<i>Magnolia grandiflora</i>	Southern Magnolia	41.5
98	<i>Callistemon citrinus</i>	Bottlebrush tree	12
99	<i>Callistemon citrinus</i>	Bottlebrush tree	13.5
100	<i>Alnus rhombifolia</i>	White Alder	26
101	<i>Pistacia chinensis</i>	Chinese pistache	9
102	<i>Pistacia chinensis</i>	Chinese pistache	14
103	<i>Callistemon citrinus</i>	Bottlebrush tree	36
104	<i>Pinus thunbergii</i>	Black Pine	63
105	<i>Washingtonia robusta</i>	Mexican fan palm	26
106	<i>Arbutus unedo</i>	Strawberry tree	18
107	<i>Arbutus unedo</i>	Strawberry tree	18
108	<i>Arbutus unedo</i>	Strawberry tree	14.5
109	<i>Liquidambar styraciflua</i>	American sweet gum	52
110	<i>Pistacia chinensis</i>	Chinese pistache	15
111	<i>Callistemon citrinus</i>	Bottlebrush tree	70
112	<i>Pistacia chinensis</i>	Chinese pistache	11
113	<i>Pistacia chinensis</i>	Chinese pistache	13
114	<i>Arbutus unedo</i>	Strawberry tree	19
115	<i>Arbutus unedo</i>	Strawberry tree	21
116	<i>Arbutus unedo</i>	Strawberry tree	15
117	<i>Arbutus unedo</i>	Strawberry tree	21
118	<i>Pinus thunbergii</i>	Black Pine	101
119	<i>Prunus sp.</i>	Plum	12
120	<i>Washingtonia robusta</i>	Mexican fan palm	37
121	<i>Pistacia chinensis</i>	Chinese pistache	15
122	<i>Pistacia chinensis</i>	Chinese pistache	15
123	<i>Washingtonia robusta</i>	Mexican fan palm	55
124	<i>Ligustrum lucidum</i>	Glossy privet	42
125	<i>Ligustrum lucidum</i>	Glossy privet	32
126	<i>Platanus acerifolia</i>	London plane	19

*Circumference in inches.
Note: Ordinance sized trees are 56+ inches in circumference, noted in bold.

950 St. Elizabeth Drive, San Jose Tree Survey Completed August 19, 2015 Trees Species Observed on Site			
Tree #	Scientific Name	Common Name	Size*
44	<i>Pinus canariensis</i>	Canary Island pine	72
45	<i>Sequoia sempervirens</i>	Redwood	73
46	<i>Sequoia sempervirens</i>	Redwood	64
47	<i>Sequoia sempervirens</i>	Redwood	71
48	<i>Sequoia sempervirens</i>	Redwood	51
49	<i>Sequoia sempervirens</i>	Redwood	78
50	<i>Washingtonia robusta</i>	Mexican fan palm	54
51	<i>Cupressus sempervirens</i>	Italian cypress	63
52	<i>Citrus sp.</i>	Citrus	44
53	<i>Citrus sp.</i>	Citrus	49
54	<i>Citrus sp.</i>	Citrus	11
55	<i>Citrus sp.</i>	Citrus	22
56	<i>Citrus sp.</i>	Citrus	38
57	<i>Citrus sp.</i>	Citrus	31
58	<i>Citrus sp.</i>	Citrus	49
59	<i>Citrus sp.</i>	Citrus	12
60	<i>Citrus sp.</i>	Citrus	25
61	<i>Citrus sp.</i>	Citrus	31
62	<i>Citrus sp.</i>	Citrus	40
63	<i>Fraxinus uhdei</i>	Ash	108
64	<i>Pyrus kawakamii</i>	Evergreen pear	46
65	<i>Ceratonia siliqua</i>	Carob tree	124
66	<i>Quercus agrifolia</i>	Coast Live Oak	20
67	<i>Liriodendron tulipifera</i>	Tulip tree	35
68	<i>Ligustrum lucidum</i>	Glossy privet	41
69	<i>Ligustrum lucidum</i>	Glossy privet	23
70	<i>Washingtonia robusta</i>	Mexican fan palm	71
71	<i>Prunus cerasifera</i>	Purple Leaf plum	48
72	<i>Prunus sp.</i>	Plum	15
73	<i>Prunus sp.</i>	Plum	14
74	<i>Quercus agrifolia</i>	Coast Live Oak	18
75	<i>Acer palmatum var.</i>	Japanese maple	8
76	<i>Acer palmatum var.</i>	Japanese maple	5
77	<i>Acer palmatum var.</i>	Japanese maple	5
78	<i>Acer palmatum var.</i>	Japanese maple	5
79	<i>Acer palmatum var.</i>	Japanese maple	5
80	<i>Acer palmatum var.</i>	Japanese maple	6
81	<i>Acer palmatum var.</i>	Japanese maple	7
82	<i>Malus sp.</i>	Apple tree	27
83	<i>Prunus sp.</i>	Cherry tree	23
84	<i>Prunus cerasifera</i>	Purple Leaf plum	78
85	<i>Cupressus sp.</i>	Cypress	85
86	<i>Morus alba</i>	Mulberry tree	55

DEMOLITION NOTES

THE CONTRACTOR SHALL VISIT THE PROJECT SITE PRIOR TO BIDDING TO DETERMINE THE EXACT EXTENT OF ALL SITE DEMOLITION ITEMS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE VERIFICATION OF ALL EXISTING UTILITIES IN THE FIELD PRIOR TO CONSTRUCTION. LOCATIONS SHOWN ON THE PLANS ARE APPROXIMATE AND ARE FOR GENERAL INFORMATION ONLY. HE SHALL BE RESPONSIBLE FOR MAKING HIMSELF FAMILIAR WITH ALL UNDERGROUND CONDITIONS PRIOR TO COMMENCEMENT OF WORK.

THESE PLANS MAY NOT SHOW ALL EXISTING CITY ELECTRICAL FACILITIES INCLUDING, BUT NOT LIMITED TO, TRAFFIC SIGNALS, STREETLIGHT AND TRAFFIC SIGNAL COMMUNICATION EQUIPMENT, CONDUIT, PULL BOXES, AND WIRING.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL SUCH FACILITIES AND FOR REPAIRING ANY SUCH FACILITIES THAT ARE DAMAGED DURING CONSTRUCTION. PAYMENT FOR LOCATING, COORDINATING, AND REPAIRING EXISTING CITY ELECTRICAL FACILITIES WILL BE DEEMED INCLUDED IN OTHER ITEMS OF WORK, AND NO ADDITIONAL COMPENSATION SHALL BE MADE THEREOF. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE SPECIFICATIONS & DETAILS.

THE CONTRACTOR SHALL PERFORM ALL CLEARING, DEMOLITION, REMOVAL OF OBSTRUCTIONS, AND SITE PREPARATIONS NECESSARY FOR THE PROPER EXECUTION OF ALL WORK SHOWN ON THESE PLAN AS DESCRIBED IN THE SPECIFICATIONS.

THE CONTRACTOR SHALL NOTIFY UNDERGROUND SERVICE ALERT (U.S.A.) AT LEAST 48 HOURS PRIOR TO ANY EXCAVATION ON THIS PROJECT. CALL U.S.A. AT (800) 624-2444

THE CONTRACTOR SHALL BE RESPONSIBLE UNDER THIS CONTRACT FOR REPAIRING AND REPLACING, AT HIS OWN EXPENSE, ANY STRUCTURES, FENCES, WALLS, OR PLANT LIFE DAMAGED OR DESTROYED BY HIS OPERATION. LIKEWISE, HE SHALL BE RESPONSIBLE FOR REPAIRING OR REPLACING ANY AND ALL DAMAGES, OCCURRING BY HIS OPERATION, ON ADJACENT PROPERTIES AND ANYWHERE OUTSIDE THE CONTRACT LIMIT LINES. THE DAMAGED ITEMS SHALL BE RESTORED TO THERE ORIGINAL CONDITIONS AND TO THE SATISFACTION OF THE PROJECT SUPERINTENDENT.

THE CONTRACTOR SHALL BE RESPONSIBLE TO KEEP ALL STREET RIGHT-OF-WAYS CLEAN TO THE SATISFACTION OF THE PROJECT SUPERINTENDENT ALL ITEMS INDICATED TO BE REMOVED SHALL BE DISPOSED OF FROM THE PROJECT SITE, EXCEPT ITEMS INDICATED TO BE RE-INSTALLED.

FURNISH AND PLACE APPROVED IMPORT TOPSOIL WHERE SHOWN ON THE PLANS. CROSS- RIP THE ENTIRE EXPOSED SOIL SUBGRADE TO A MINIMUM DEPTH OF TEN INCHES (10") PRIOR TO PLACING ANY IMPORT TOPSOIL.

ALL TREES TO BE REMOVED SHALL HAVE THEIR STUMPS GROUND DOWN TO A MINIMUM DEPTH OF 24" REMOVE ALL LARGE ROOTS FROM PLANTING AREAS A MINIMUM DISTANCE OF 5' BEYOND THE DRIP LINE OF THE TREE.



MORGAN AUTISM CENTER

950 ST ELIZABETH DRIVE
SAN JOSE, CA 95126

CLIENT:
MORGAN AUTISM CENTER

Project Number: 4695.10
Date: FEB 17, 2016
Drawn by: MA
Checked by: WBS

Sheet Title:
TREE MITIGATION
LEGEND AND
NOTES

L2.0

File No CP16-06

Rao <onlyrao@gmail.com>

Fri 4/15/2016 9:14 AM

To: Lipoma, Emily <emily.lipoma@sanjoseca.gov>;

Cc: Joe Bolin <joebolin@me.com>;

 1 attachment (39 KB)

FileNo-CP16-006-Map;

Ref: File No CP16-06

Location: [950 St Elizabeth Drive, San Jose, CA 95126](#)

Sub: Feedback to City office after the March 28 2016 Community meeting:

Dear Emily,

I am of the opinion that the project should proceed conditional to the following:

No day time street parking to be allowed on the St Elizabeth Drive street between the property on at 950 St Elizabeth Drive and the Church Parking Lot. Kerbs to be painted Red to indicate No parking.

Please see attached map with highlighting.

This will greatly enhance the visibility to/for Traffic at the Stop junction and critical for the safety of the vehicle drivers and the pedestrians (especially the elderly in the several old age homes around).

Please let me know if this is not possible, in which case I shall meet with the community and proceed accordingly for a stay order.

Thank you

Rao

cc- L M and associates.



St Elizabeth Dr

McKinley Ave

McKinley Ct

Foursquare Church



Full Gospel Central
Church of San Jose



San Jose
Montessori School



950 St Elizabeth Dr

St Elizabeth Dr

Kirkside Ct

No Street Parking as indicated

St Elizabeth Dr

Green Glen Ct

Los Gatos Creek Trail

Community meeting invite

Eloise Pelmulder <eloise.pelmulder@gmail.com>

Fri 3/18/2016 11:03 AM

To: Lipoma, Emily <emily.lipoma@sanjoseca.gov>;

Dear Emily,

We are sending email because we are playing music for a Scottish dance class in San Jose at the same time as the meeting.

We heartily approve the proposal to allow a school for autistic students use the St. Elizabeth's day school (with other arrangements for parking). This is an excellent use of the property and benefits not only the staff and students but all the people who come in contact with them.

Sincerely,
Eloise and Susan Pelmulder

[1516 McKinley Ave](#)
[San Jose, CA 95126](#)

408 420-2487

File #CP10-006

maryjanerb@comcast.net

Thu 3/17/2016 10:05 AM

To: Lipoma, Emily <emily.lipoma@sanjoseca.gov>; jeffrey@ehastudio.com <jeffrey@ehastudio.com>;

Greetings from:

Mary Jane Stevenson
814 St Elizabeth Dr Apt 274
San Jose CA 95126

Left a voice mail this AM and I don't think I said my name...
401-287-7172

I'm unable to come to the meeting on 28 Mar 2016 Monday.
I would like to offer my support for the permit of the school (Morgan Autism Center) located at 950
St Elizabeth Dr San Jose CA 95126
Is there a form, or other means to offer my support?

Regards,
Mary Jane Stevenson
maryjanerb@comcast.net

Re: CP16-006

Randi Kinman <randikinman@yahoo.com>

Mon 2/29/2016 11:16 AM

To: Lipoma, Emily <emily.lipoma@sanjoseca.gov>;

Thanks. And, if the church decides to sell their property, then what?

Sent from mobile device.

On Feb 29, 2016, at 11:10 AM, Lipoma, Emily <emily.lipoma@sanjoseca.gov> wrote:

Hello Randi,

The alternative parking arrangement would be to utilize the church parking lot across the street. We're currently reviewing their proposed enrollment and operations in conjunction with the existing parking on site to determine to what extent the off-site parking lot would be used in every-day or special event parking.

Regards,

Emily

Emily Lipoma | Planner

Planning Division | City of San Jose

200 East Santa Clara Street, 3rd Floor, Tower

San Jose, CA 95113-1905

Emily.lipoma@sanjoseca.gov | Phone: (408) 535-7903

From: Randi Kinman <randikinman@yahoo.com>

Sent: Monday, February 22, 2016 11:44 AM

To: Lipoma, Emily

Subject: CP16-006

Emily,

Re: CP16-006

Randi Kinman <randikinman@yahoo.com>

Mon 2/29/2016 11:16 AM

To: Lipoma, Emily <emily.lipoma@sanjoseca.gov>;

Thanks. And, if the church decides to sell their property, then what?

Sent from mobile device.

On Feb 29, 2016, at 11:10 AM, Lipoma, Emily <emily.lipoma@sanjoseca.gov> wrote:

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The alternative parking arrangement would be to utilize the church parking lot across the street. We're currently reviewing their proposed enrollment and operations in conjunction with the existing parking on site to determine to what extent the off-site parking lot would be used in every-day or special event parking.

Regards,

Emily

Emily Lipoma | Planner

Planning Division | City of San Jose

[200 East Santa Clara Street, 3rd Floor, Tower](#)

[San Jose, CA 95113-1905](#)

Emily.lipoma@sanjoseca.gov | Phone: (408) 535-7903

From: Randi Kinman <randikinman@yahoo.com>

Sent: Monday, February 22, 2016 11:44 AM

To: Lipoma, Emily

Subject: CP16-006

Emily,

Just what are the alternative parking arrangements?

Randi